

Exhibit A

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

STATE OF MINNESOTA,

Plaintiff,

vs.

TRANSCRIPT OF PROCEEDINGS

BROCK WILLIAM FREDIN,

Defendant.

DISTRICT COURT FILE: 62-CR-17-3156

The above-entitled matter came on for hearing before
the HONORABLE SOPHIA Y. VUELO, Judge of Ramsey County
District Court, on October 17, 2018, in the Ramsey County
Court House, St. Paul, Minnesota.

* * *

APPEARANCES

STEPHEN CHRISTIE, OFFICE OF THE SAINT PAUL CITY
ATTORNEY, 500 City Hall and Court House, 15 W. Kellogg
Boulevard, St. Paul, Minnesota 55102, appeared representing
the Plaintiff.

BRUCE WENGER, OFFICE OF THE RAMSEY COUNTY PUBLIC
DEFENDER, 101 East Fifth Street, Suite 1808, St. Paul,
Minnesota 55101, appeared representing the Defendant.

(Whereupon, the following proceedings were duly had.)

1 THE CLERK: Calling page two, line five,
2 Brock Fredin.

3 THE COURT: Appearances, please.

4 MR. CHRISTIE: Good morning, Your Honor.
5 Steve Christie, of the City of St. Paul, on behalf of
6 the State of Minnesota.

7 MR. BARKMAN: Michael Barkman, with
8 Probation.

9 MR. WENGER: Bruce Wenger, W-E-N-G-E-R,
10 present in court with my client, Mr. Brock Fredin --

11 DEFENDANT FREDIN: Correct.

12 MR. WENGER: -- out of custody, standing to
13 my left. So the record is clear, I was not the
14 attorney of record in the trial and have been appointed
15 only for the sentencing.

16 THE COURT: That is correct. Mr. Wenger was
17 not the attorney of record for the jury trial phase.
18 Mr. Wenger was appointed weeks ago to assist and
19 represent Mr. Fredin with the sentencing in Court File
20 62-CR-17-3156.

21 The record should also reflect this sentencing
22 date was originally scheduled to occur back in, I want
23 to say, September. However, that hearing was
24 rescheduled upon Mr. Fredin claiming he was indigent
25 and needed the assistance of a public defender to be

1 appointed to represent him. For that reason, the Court
2 paused in this case and referred Mr. Fredin back to our
3 arraignment calendar to be screened and considered for
4 a public defender. Judge Grewing appointed the public
5 defender's office to assist Mr. Fredin in this matter.
6 And so this sentencing date was continued from its
7 original date to give Mr. Fredin and his new attorney,
8 Mr. Wenger, the benefit of working together in
9 preparing for today's hearing.

10 The Court, in preparation for today's sentencing,
11 has received the presentence investigation report that
12 I ordered in this case. I have read that, along with
13 the memorandum of law provided by Mr. Steve Christie on
14 behalf of the City of St. Paul. I have also reviewed
15 all of the attached documents provided by the State.
16 This Court has also reviewed the voluminous amount of
17 paperwork filed on his own behalf, Mr. Brock Fredin,
18 filed on this case, both at the District Court level
19 and the Court of Appeals level.

20 Are there any changes, corrections, or amendments
21 to the presentence investigation report, from either
22 Mr. Christie or Mr. Wenger?

23 MR. CHRISTIE: Your Honor, Probation only
24 accounts for four days of jail credit. I believe the
25 defendant's entitled to a fifth day of jail credit.

1 You'll recall that on the morning of September 17,
2 2018, you held the defendant in direct contempt. He
3 was remanded into custody of the deputies for
4 approximately two hours, and he's entitled to credit
5 for that situation. I suspect that Probation did not
6 find that in the record because the defendant was not
7 formally booked for that remand.

8 THE COURT: In the spirit of transparency, it
9 would be this Court's intent to give him credit for the
10 two hours he spent in our custody.

11 MR. WENGER: Thank you, Your Honor.

12 MR. CHRISTIE: I have no other additions or
13 corrections.

14 THE COURT: Mr. Wenger, are there any
15 changes, corrections, or amendments on your part?

16 MR. WENGER: None, Your Honor.

17 THE COURT: I will first hear from the State
18 and Probation, if they wish to offer any additional
19 information, and then from Mr. Wenger and then Mr.
20 Fredin. And I'm also informed -- have been informed
21 that the victim herself would like to read a statement.

22 Mr. Christie.

23 MR. CHRISTIE: So, Your Honor, as is a right
24 under the statute, Ms. Grace Miller, the victim in this
25 case, wishes to read a statement -- a victim impact

1 statement. I'd ask that she do so at this time, before
2 I add any remarks.

3 THE COURT: Before we do so, Mr. Fredin, I
4 have to ask you in open court -- Mr. Fredin -- Mr.
5 Brock Fredin?

6 DEFENDANT FREDIN: Sorry.

7 THE COURT: I'm going to ask you in open
8 court, do you have any recording device on you?

9 DEFENDANT FREDIN: No, ma'am.

10 THE COURT: Because if you do, you know what
11 this Court's expectation is, right? That it be turned
12 over to me and placed on the bench. So you're telling
13 me you have no such recording device on you?

14 DEFENDANT FREDIN: Correct, ma'am.

15 THE COURT: All right. I'm going to ask that
16 Mr. Fredin step aside, as far to the window as you can.
17 I'm also going to instruct that while Ms. Miller reads
18 her statement, Mr. Fredin not stare at her. I'm not
19 making any inference at this time that you have done
20 that during this proceeding. I'm trying to take
21 precaution and don't want any misinterpretation that
22 Mr. Fredin may be expressing any facial gestures of any
23 kind to Ms. Miller while she reads her statement.

24 Are we clear on that, Mr. Fredin?

25 DEFENDANT FREDIN: Yes, ma'am.

1 THE COURT: Mr. Christie.

2 MR. CHRISTIE: Ms. Miller.

3 THE COURT: Ms. Miller, for the record,
4 please state your first and last name.

5 MS. MILLER: Grace Miller, Your Honor.

6 THE COURT: That's M-I-L-L-E-R, correct?

7 MS. MILLER: Yes, Your Honor.

8 THE COURT: You may read your statement.

9 MS. MILLER: Good morning, Your Honor. Thank
10 you for giving me the opportunity to speak. As I
11 mentioned in court, I'm a major in the Air Force
12 Reserve, a veteran of 12 years. I'm also a doctoral
13 student, preparing to defend my dissertation next week.
14 Here's what I'm not: I'm not abusive. I'm not a
15 stalker or a bully. I'm not an alcoholic. I do not
16 have PTSD. I am not the commander of a military base,
17 and I'm not a drone pilot nor have I ever worked in a
18 Department of Defense assassination drone program. I'm
19 not a lesbian. I'm not a powerful public figure. I
20 did not domestically abuse or threaten to kill Brock
21 Fredin. I never murdered children in Iraq. I am not
22 and have never been on welfare. I am not psychotic. I
23 am not an unethical and intemperate military officer.

24 THE COURT: Mr. Christie, we have tissue
25 behind you.

1 MS. MILLER: I'm fine. I'm fine. And, above
2 all, I'm not a liar. But these are all things Brock
3 Fredin has said about me on social media, on smear
4 pages he's authored, and in bogus legal motions and
5 lawsuits he's filed against me since I received my
6 restraining order. The past two and a half years have
7 been a nightmare, and the conviction didn't put a stop
8 to Brock's abusive and obsessive behavior.

9 Can I sit down?

10 THE COURT: You may.

11 MS. MILLER: I'm sorry.

12 THE COURT: Of course.

13 MS. MILLER: At the trial, the Court examined
14 a time frame ending on 10 February, 2016, when I
15 contacted the police about a restraining order
16 violation, but Brock has been attacking me and trying
17 to ruin my life ever since. In March 2016, Mr. Fredin
18 filed a retaliatory order for protection petition about
19 me and then a harassment restraining order when that
20 failed, claiming, among other things, that I murdered
21 children in Iraq by running them over with my truck,
22 that I'm a violent alcoholic, and that he was the one
23 who broke up with me and that I threatened to kill him.
24 Of course, none of this is true. The remedy Brock
25 requested was for me to be forced into three types of

1 counseling -- anger management, domestic abuse, and
2 chemical dependency, for the Court to confiscate my gun
3 and for me to pay him exactly \$2,201 for his trouble.

4 I was served a copy of this petition by the
5 sheriff. That was a nightmarish day because that's
6 when I first realized that Mr. Fredin wasn't just a
7 lovesick, obsessive ex. He was an obsessive ex who
8 wanted revenge, and he was willing to lie and
9 manipulate the court system to do it, all because he
10 didn't get what he wanted because I said no.

11 A few months later, in June 2016, Brock made a
12 smear page about me on a website called Dating Psychos.
13 I was alerted to this by another one of his victims who
14 found a similar page about herself, my friend,
15 Catherine Schaefer, another one of his victims who has
16 now become a dear friend. My page included my full
17 name, age, city, military branch, rank, career field,
18 and Ph.D. program. An early iteration of the site even
19 included my personal e-mail address so readers could
20 contact me if they saw fit. At the top of the page was
21 a gold star that labeled me a certified piece of
22 expletive. The site described me as a, quote, total
23 bully, stalker, harassment, threatened to kill me, and
24 complete narcissist, has mild PTSD from military
25 deployments and constantly overreacts, intimidates, and

1 bullies others. I was applying for a new job at the
2 time, so I had to inform the hiring official that I had
3 a stalker who had been smearing me on the Internet.
4 Fortunately, I still got the job, despite Brock's best
5 efforts. A month later, I deployed to the Middle East,
6 and I spent my last night in the U.S. sending messages
7 to Dating Psychos, asking them to remove the page so I
8 would have one less thing to worry about overseas.

9 Later, I was contacted by another woman Brock
10 harassed on the Internet, who he referred to as, quote,
11 Miss and Bumble Goddess. Because she wouldn't tell him
12 her real name, he still doesn't know. She showed me
13 public messages Brock sent to another woman on Venmo in
14 November 2016, in which he wrote, quote, I know Grace
15 will speak to me again someday. I'm letting the
16 universe guide. He sent those messages eight months
17 after I received my restraining order, after he
18 attacked me by slandering me on the Internet. Somehow,
19 he still believed that a relationship between us was a
20 cosmologically-ordained inevitability, that the
21 universe wanted us together, despite my clear and
22 desperate objections.

23 In December 2016, I was notified by Sgt. David
24 McCabe that Brock had filed a complaint about me at my
25 alma mater, the University of St. Thomas. Since we

1 graduated from St. Thomas several years ago, I can only
2 conclude that Brock filed this complaint to further
3 harass and threaten me. I had to contact my academic
4 advisor to let him know that he might hear from Brock.
5 I was still deployed at the time. Throughout my entire
6 deployment, I never had nightmares about bomber planes
7 -- or, sorry, about bombs or plane crashes or attacks.
8 I had nightmares about Brock. I still do.

9 In January 2017, of course, the City Pages asked
10 me to interview for an article about Brock. According
11 to Brock's irate language in his court filings, he
12 apparently thinks I had a responsibility to keep quiet
13 about what he did to me, that I was obligated to
14 protect his reputation from the truth, even after he'd
15 tried to so aggressively destroy mine with lies. I
16 gave the interview, not because I wanted revenge, but
17 because Brock hadn't given me a reason not to.

18 In November 2017, Brock started making memes and
19 smear websites about me, starting with
20 majorgracemiller.com, then captaingracemiller.com, and
21 then airforcegracemiller.com. On the sites, he said
22 that he was the one who broke up with me. Quote, even
23 after her ex-boyfriend terminated the relationship,
24 Grace Miller still allegedly harassed and domestically
25 abused him, according to court documents. The document

1 he's referring to is the bogus order for protection
2 petition he had filed. The headline of the site
3 described me as a, quote, fraudster and psychotic
4 military officer, and the site included photos of me in
5 uniform and links to Air Force stories about my
6 accomplishments and to journals featuring my published
7 academic work. He also alleged that I'm working in an
8 assassination drone program for the Department of
9 Defense, which isn't true but could jeopardize my
10 safety if the wrong people found it.

11 The worst part was Brock's mention of a colleague
12 of mine, Phyllis Pelky, who died in Afghanistan. He
13 used Phyllis's death to argue that I have PTSD and am,
14 therefore, mentally unstable. He even included
15 pictures of his unconscious, blood-spattered mother,
16 claiming that I was responsible for her having a
17 stroke. The site encouraged readers to contact the
18 city attorney and demand that I be removed from my
19 position at my Air Force Reserve unit and be kicked out
20 of my Ph.D. program. He's bent on ruining my career.

21 In the months leading up to the trial, Brock took
22 his smear campaign to Twitter, claiming that a
23 Minneapolis lawyer had called me a bitch and tweeting a
24 copy of his bogus defamation suit, which is full of
25 horrible lies about me, directed at my military unit.

1 But Brock's victims aren't the only people he
2 slanders. He's made smear pages about James Street,
3 Patrick Diamond, Elizabeth Clysdale, Karmen McQuitty,
4 Steve Christie, David McCabe, and several other judges
5 and lawyers who have stood up to him. He even made a
6 video about Yamy Vang, arguing that she cannot possibly
7 be legally competent because she is Hmong and,
8 therefore, cannot properly comprehend English. He has
9 even defamed you, Your Honor, in a recent writ in which
10 he calls you cruel and petty and states that your voice
11 indicates that you have poor reading comprehension.
12 Given your occupation, I doubt that.

13 And now, ironically, Brock has sued me for
14 defamation in federal court.

15 I've been told Brock's sentence will probably be
16 light because this is his -- supposedly his first
17 offense, but I want Brock to know that I know this
18 isn't his first offense. I know about the rape victim
19 he claims I fabricated, after he admitted on Facebook
20 to having sex with her which he claims was consensual,
21 and I've spoken to four of the women he wrote Dating
22 Psychos posts about. Two of his other victims, whose
23 existence I was entirely unaware of, contacted me on
24 Facebook after learning about my case. One of them
25 told me Brock had raped her, and the other one showed

1 me months' worth of harassing contact from him. So the
2 behavior I've described in this statement isn't an
3 isolated event.

4 Brock would have you believe that he's a First
5 Amendment warrior, fighting for his right to speak out
6 against a, quote, unethical and intemperate military
7 officer. Nothing could be farther from the truth. At
8 best, Brock Fredin is a malicious, relentless creep.
9 At worst, he's a serial harasser, stalker, and rapist
10 who uses slander as a tactic to retaliate against his
11 victims and scare them into silence. He succeeded for
12 years, until he met me.

13 How has this impacted my life? I can't go on a
14 first date anymore without feeling like I'm going to
15 throw up because I find myself wondering what will
16 happen if I say no and he doesn't listen. When I hear
17 a loud noise in the middle of the night, I wake up in a
18 panic because my subconscious assumes it's Brock. I've
19 had to tell my employers and academic advisor what's
20 happened to me just so they know the truth before
21 someone contacts them with a lie. For the first time
22 in my military career, I have to worry about whether or
23 not I'll have trouble renewing my security clearance
24 because of some psychopath's allegations on the
25 Internet. My public affairs office knows not to

1 include me in photos and press releases. My academic
2 advisor wanted a photo and biography of me on his
3 website because he's proud of me, but I said no because
4 I don't want him to be harassed or smeared on Twitter.

5 This nightmare overshadowed so many events in my
6 life: the birth of my goddaughter, the birth of my
7 niece, the death of my grandmother and my grandfather,
8 my military deployment, being selected for my first
9 squadron command, passing my preliminary exams, and
10 writing my entire doctoral dissertation. For two and a
11 half years, I've had to live with this horror in the
12 back of my mind that a man who wouldn't take no for an
13 answer is still out there somewhere, trying to destroy
14 me. I don't know if I will ever be free of that.
15 Worst of all, I have an anger and bitterness in me now
16 that I never had before.

17 As I said before, the conviction didn't stop
18 Brock's behavior. Within hours of the verdict being
19 read in July, Brock's best friend, Anthony Zappin, a
20 New York lawyer and accused wife-beater who is known
21 for being disbarred due to his, quote, unbridled
22 behavior, was already defaming me on Twitter, probably
23 at Brock's behest. He claimed that the jury was
24 rigged, described one of the jurors as a crackhead, and
25 described me as a drone pilot, bipolar patient, and

1 trained killer. I am none of those things, but Anthony
2 has adopted the narrative Brock has sought to advance,
3 that I'm deranged and dangerous, a female version of
4 Marlon Brando in Apocalypse Now, when I'm really just a
5 woman who asked to be left alone. I've had to accept
6 that there might always be ugly, angry, and even
7 violent men trying to hurt me because of Brock.

8 A week after the verdict, Brock announced on
9 Twitter that he was about -- that he was, quote, about
10 to take a donkey expletive on a couple of people and
11 then filed a Writ of Prohibition that illustrated three
12 disturbing points I'd like to address.

13 First, Brock is in deep denial of the truth. In
14 the writ, he states that he never told me I couldn't
15 date other men, despite at least three documented
16 instances of him telling me that very thing, which Mr.
17 Christie presented in court. He also alleges that I am
18 a lesbian who is deeply closeted and, even more
19 outrageously, that I was having an affair with another
20 one of his victims, Ms. Catherine Schaefer, a woman he
21 had actually been harassing for years and threatened
22 with, quote, consequences because she continued to
23 reject him.

24 Second, he is still trying to hurt me, and he's
25 using the court to do it. He himself says in the writ,

1 my family is extremely Catholic and would never accept
2 it if I was gay, but he chose to make that allegation,
3 put his writ on Scribd and post it on Twitter, so
4 clearly he hopes that his allegations will somehow be
5 discovered by my family and damage my relationship with
6 them, perhaps forever. What he tried to do is
7 unfathomably cruel.

8 Third, in spite of all this, he still wants a
9 relationship with me and thinks he has the right to
10 communicate that via the court. He says four times in
11 the writ that he still cares about me and even says
12 that he hopes I will speak to him again someday. You
13 would think that after everything he's tried to do to
14 me, after all of my efforts to get the Court to keep
15 him away from me, he would have realized there's
16 absolutely no chance I will ever speak to him again on
17 amiable circumstances. Meanwhile, Brock has been
18 self-congratulatory, labeling himself a fighter for his
19 persistence. It's bewildering.

20 Brock is still deluding himself. He insists that
21 he is a victim of a corrupt and inept court system and
22 denies that his behavior toward me and toward women in
23 general is in any way troubling or abnormal. I'm not
24 sure the Court -- anything the Court can prescribe as a
25 sentence can ever change that. I just ask the Court to

1 select the sentence that will most likely result in
2 Brock finally leaving me alone. That's all I've wanted
3 from the beginning.

4 Thank you for your time and for listening to my
5 story. Thank you.

6 THE COURT: Thank you, Ms. Miller.

7 Mr. Christie.

8 MR. CHRISTIE: Your Honor, Mr. Fredin is now
9 a convicted stalker. The jury has spoken that truth.
10 In the thousands of cases that I've handled in my
11 30-year career, I've never encountered a more defiant
12 or more recalcitrant defendant than Brock Fredin. He
13 has challenged fundamental assumptions of this court's
14 legitimacy and the quality of our criminal justice
15 system. So I propose that we step back to see what is
16 right in front of us.

17 Corrective justice is applied where a person
18 wrongfully interferes with the rights of another, and
19 Grace Miller's loss here cannot be restored. But it
20 must be recognized, it must be acknowledged, and this
21 offender must be held accountable. We each have moral
22 and legally enforceable duties to each other, as
23 citizens and fellow human beings, and justice is a
24 matter of how each person is treated when resolving
25 conflict. Justice is a matter of obligation, whether

1 it is between people or between a governmental
2 institution, such as this court, and the people it
3 serves. And, Your Honor, enforcement goes hand in hand
4 with obligation.

5 Justice requires an agent, and it is this court.
6 The people have established courts to deliver such
7 justice. It must be impartial. It's the opposite of
8 arbitrariness. And when two cases are alike, they
9 should be treated in the same way, but when cases are
10 unusual and unlike any other, a different or uncommon
11 treatment is required. We must avoid the routine of
12 the docket, the routine of the calendar. Each and
13 every case deserves our attention. We should not be
14 inert or dulled to the importance of what takes place
15 in this impressive courtroom.

16 At January's investiture ceremony, Your Honor
17 spoke of your lodestar principle, the great importance
18 of kindness. Kindness is a concern and a consideration
19 for others, but I would submit that kindness does not
20 require leniency to address serious wrongs, and it is
21 not unkind to be just.

22 The execution of a sentence, the one-year sentence
23 allowed by law, is justice. Probation is not
24 appropriate in this case. The word probation comes
25 from a Latin word that means the act of proving.

1 Probation is for people who are believed to be both
2 willing and capable of reform.

3 Mr. Fredin, however, is unwilling to change. He
4 has shown that time and time again over the last
5 several months, over the last few weeks, even the last
6 few days with the petition that he filed with the Court
7 of Appeals on Monday. He will not refrain from this
8 sort of wrongdoing, and in his actions and in his
9 filings and in his own words, he shows us proof of who
10 he is, how he belittles others that are attached to
11 this case, how he minimizes his actions, and how he
12 shifts blame to others for his own actions. The
13 punishment should fit the offender and not merely the
14 crime.

15 I will not repeat the arguments that I wrote in my
16 memorandum, but they are to be inserted here.

17 So in this week's petition that he filed, he
18 refers to this particular charge as, quote, a petty
19 accusation, and he uses the word petty 14 times in that
20 petition. And in that same petition, he accuses the
21 Ramsey County bench of, quote, colluding with
22 litigants. He has no respect for the law. He has no
23 respect for the agents of justice. He has little
24 respect for others.

25 So, Your Honor, I respectfully submit this Court

1 cannot demand Mr. Fredin's respect, but this Court
2 today can command his respect with a just sentence.

3 Thank you.

4 THE COURT: For clarity, Mr. Christie, the
5 memorandum of law has asked the Court to follow by the
6 recommendations of the presentence investigation order?

7 MR. CHRISTIE: Yes, Your Honor, and there's
8 alternative recommendations. The State seeks the
9 primary recommendation at the top of the recommendation
10 page. The State seeks an execution of one year in the
11 workhouse.

12 THE COURT: Thank you for that clarity. Does
13 Probation wish to be heard?

14 MR. BARKMAN: You asked me to speak on
15 whether or not Probation can monitor the defendant's
16 Internet access, and I think Ramsey County does do
17 that, but it appears that he's living in Wisconsin. So
18 I'm not sure.

19 THE COURT: All right. So we have a layer of
20 challenge?

21 MR. BARKMAN: Yes, but I'm sure they're able
22 to do the same things we do, so.

23 THE COURT: Well, actually, that is a good
24 thing about Internet. You can monitor from anywhere
25 around the world, correct?

1 MR. BARKMAN: Yes.

2 THE COURT: Thank you, for that information.

3 MR. BARKMAN: Thank you.

4 THE COURT: Mr. Wenger.

5 MR. WENGER: Thank you, Your Honor. What
6 struck me most significantly is my client is 34 years
7 old, and he has been able to go the 34 years of his
8 life without accumulating any criminal record --
9 misdemeanor, gross misdemeanor, or felony. The only
10 contact that he's had with the law is minor traffic,
11 and he currently has a valid driver's license. So when
12 the State is asking for a maximum sentence on somebody
13 with no criminal record, that is quite shocking to this
14 defense attorney.

15 Probation, as the Court is well aware now, was
16 doing a bifurcated recommendation. The first part was
17 asking for the maximum, and the second part was asking
18 for 120 days, executed, and supervision for two years.
19 If the Court is concerned about my client, the best
20 thing to do is put him under supervision. This Court
21 has the opportunity to have him supervised through
22 Probation for a full two years. If there is any
23 problems during that two-year period, he will be back
24 in front of this Court on a probation violation, and
25 this Court can decide what appropriate additional

1 consequences are appropriate. To sentence somebody to
2 a maximum has never been done in my 34-year career on a
3 first offense with no criminal record. I urge the
4 Court to consider giving him a sentence of five days,
5 credit for the five days he's already served, and place
6 him on probation for a period of two years, with 365
7 days over his head. I ask the Court to waive the \$75
8 public defender fee. I ask the Court to limit his fine
9 to no more than \$50. My client is unemployed and has
10 been unable to get employment since this incident took
11 place. He has been successful prior to this. As the
12 Court is well aware, he has both a bachelor's and a
13 master's degree and that he was gainfully employed as a
14 computer programmer. That is not the case anymore, and
15 that's why he qualifies for our services.

16 I ask the Court to sentence him to probation. And
17 we are aware of the recommendations of Probation, and
18 my client is ready, willing, and able to prove to this
19 Court that he can be successful during a probationary
20 period.

21 If the Court is considering giving him any jail
22 time, I ask the Court to allow him to participate in
23 any programs where he would otherwise be qualified for,
24 specifically, and not limited to, work release.

25 I would also ask the Court for a 30-day

1 stay-to-serve so my client can secure employment so
2 that he may qualify for work release. As the Court is
3 aware, he's not employed now, and it's my understanding
4 that at the workhouse he needs to have a work history
5 of 30 days before he might qualify. I spoke to my
6 client about finding a job that is even a menial job,
7 even janitorial or flipping burgers at McDonald's,
8 where he can prove to his employer and to society that
9 he can be gainfully employed again.

10 Therefore, I ask the Court to use the Court's
11 power to supervise him for two years, which is twice as
12 long as if the Court would follow the recommendations
13 of Probation and the State and execute his sentence on
14 somebody with no criminal record.

15 My client wishes to address the Court at the
16 appropriate time, as well.

17 THE COURT: And, Mr. Fredin, what would you
18 like this Court to know before I sentence you?

19 DEFENDANT FREDIN: Grace Miller is a violent
20 stalker. Indeed, Grace Miller used the April 28, 2017,
21 search warrant execution to terrorize a Wisconsin
22 family and procure evidence in two civil cases. Grace
23 Miller lied for years about her knowledge, while
24 simultaneously pressuring the St. Paul City Attorney's
25 office to intentionally cover up her conduct with

1 brutal beatings, actions no different than a lynch mob
2 assaulting and raiding a home. As I continue to
3 express my intentions in Ramsey County Court, Grace
4 Miller targeted me with unlawful contempt threats,
5 arrests, assaults, and detainments so that she could
6 take advantage of me when I did not have the capacity
7 to object or say no.

8 Grace Miller arranged for a group of ten men to
9 violently assault, kidnap, and bind my girlfriend and
10 I, threatening us with automatic assault rifles if we
11 dare move while we were kicked, punched, dragged, and
12 painfully bound, naked for hours. Much of this
13 violence is horribly unspeakable.

14 The evidence supporting these allegations is
15 overwhelming, which include numerous witnesses, sealed
16 documents, photographs, and permanent scars on my body
17 as a result of the physical violence. If Grace Miller
18 were a man, she would be in prison for many years. She
19 is yet to be charged with felony stalking, false police
20 reports, obstruction of justice, and so on.

21 When my girlfriend and I, who I've been with
22 long-term for two years, report this criminal act,
23 Grace Miller methodically uses the legal system to
24 repeatedly silence me, attacks me for speaking up, and
25 physically coerced me to attend legally required

1 meetings, to arrest me for the petty accusations
2 showing up. Most importantly, Grace Miller engages in
3 extra-- extrajudicial acts, excuse me, including
4 creating sensationalized tabloid articles to destroy
5 the professional livelihoods of her victims, while
6 mocking and laughing at them.

7 Sadly, at the same time, my girlfriend's mother
8 was diagnosed with a terminal cancer. While my
9 girlfriend and I grieved the health of her mother,
10 Grace Miller committed violent domestic assaults
11 against us. During the violent domestic assault and
12 robbery, Grace Miller and her attorney, along with her
13 attorney's mother, laughed and mocked us, depriving us
14 of a precious financial resource in the last weeks and
15 months before her mother died.

16 Grace Miller's victims will never be able to work
17 again, feel safe around men, own a home, or even
18 travel. Grace Miller has permanently destroyed
19 multiple families. Her victims suffer from sudden
20 convulsions, mental fog, and complete memory loss,
21 attributed to the Post-Traumatic Stress Disorder.

22 One of Grace Miller's victims, my girlfriend, the
23 chief nurse and manager of the busiest trauma unit in
24 St. Paul, was physically attacked and then robbed.
25 Despite being professionally experienced with caring

1 for and witnessing trauma, including sexual assaults,
2 on a daily basis, she now suffers from insomnia, night
3 sweats, flashbacks, extreme alertness, emotional
4 numbing, and overwhelming fear as a result of the sheer
5 intensity of Grace Miller's violent acts. Much of this
6 extreme torture is unspeakable.

7 Additionally, Grace Miller testified in open court
8 to stalking my social media profiles and purchasing an
9 invisible spy subscription on match.com to view my
10 profile in order to bait or solicit an HRO violation
11 over the petty accusation of my profile showing up on
12 her dashboard. Grace Miller failed to provide this
13 accurate testimony throughout any proceeding
14 whatsoever.

15 Grace Miller has killed me. When I die, my blood
16 will be on her hands. Many days, I wish that I was not
17 alive. Grace Miller raped my identity. Grace Miller
18 destroyed my life, using petty allegations. Grace
19 Miller has no idea the destruction she has caused and
20 misery she has put my girlfriend and I through, let
21 alone my family.

22 My girlfriend's life has been equally destroyed
23 due to Grace Miller's behavior. In fact, Grace Miller
24 has no concern for others, nor would she care what
25 others experience as the result of her behavior. I am,

1 essentially, homeless. I'm on food stamps. I have not
2 worked in two years. Grace Miller is a destructive
3 human being.

4 Who does Grace Miller think she is? What goes
5 around comes around. Did Grace Miller even think of my
6 mother or family when she asserted a vicious tabloid
7 false campaign against me? Did she realize my mother,
8 one of the first female military officers in the
9 Minnesota National Guard, had a stroke, lost her
10 ability to walk normally during her tabloid campaign?
11 Does Grace Miller realize that she is negatively
12 impacting others?

13 All of this because she was contacted by Catherine
14 Schaefer in October 2015, long before any of her
15 restraining orders, which she has failed to disclose to
16 this Court, and decided to pursue vindictive, false
17 allegations. Grace Miller failed to be truthful and
18 could have easily talked through the issue, instead
19 choosing to block and cease communication whatsoever
20 when things could have been easily worked out or talked
21 through. Many of Grace Miller's actions are evil. She
22 has destroyed multiple families.

23 When Grace Miller and I were dating, we got along
24 better than anyone. We had a natural chemistry and an
25 unrivaled connection. I fell for Grace Miller, perhaps

1 fell in love with her briefly, and during those moments
2 of weakness, she destroyed me, choosing to mock me for
3 being vulnerable, for falling in love with her. This
4 is the kind of sociopath Grace Miller is.

5 Grace Miller is yet to be charged with criminal
6 stalking, obstruction of justice, making material false
7 statements, or conspiracy she has conducted to
8 vindictively initiate eight state lawsuits against me.
9 A part of me still loves Grace Miller, obviously, and
10 wants her to cease her malicious actions. Grace Miller
11 needs to communicate exactly what she wants me to do.
12 I implore her to write down a list, through her
13 attorney. I will follow through with whatever Grace
14 wants.

15 The only thing I want -- the only thing I wanted
16 was to take care of Grace. Hopefully, in the future,
17 whenever that is, these things can be solved, using
18 reasonable discourse. I implore Grace Miller,
19 Catherine Schaefer, and Lindsey Middlecamp to choose
20 that option. All I have ever wanted was for Grace
21 Miller to be happy and to give all that I could
22 possibly give to her. Grace Miller needs to figure out
23 how to settle and stop this, use the lesson from her
24 father and learn to forgive. Grace's father said, one
25 of her main character defects was the fact that she has

1 trouble forgiving. So I implore Grace to forgive and
2 move on and solve these issues, using reasonable
3 discourse, instead of destroying multiple families. If
4 not, however, this will go on forever, and I promise
5 that.

6 And then, additionally, I just want to thank Court
7 Reporter Libby, Clerk Lauren Durand, and I'd also like
8 to thank a few Ramsey County Sheriff's deputies for
9 stepping in and mediating situations when appropriate.
10 I also want to thank Public Defender Bruce Wenger for
11 coming in here and stepping in.

12 And given the fact -- in closing, given the fact
13 that I haven't worked in two years, I have no criminal
14 history, all of the allegations that Grace Miller
15 raised are not only false but they're not criminal
16 acts. I was convicted for having a match.com profile,
17 this is what this case boils down to, and so I hope the
18 Court can take that into consideration and avoid
19 placing me into a system and choosing the least
20 punitive option.

21 Thank you.

22 THE COURT: Mr. Fredin, is there anything
23 else you'd like for this Court to consider before I
24 sentence you?

25 DEFENDANT FREDIN: No, ma'am.

1 THE COURT: So this is my chance to speak
2 with you, and I'm not asking for your feedback at this
3 time, so please don't offer any.

4 I'm going to read back to you some of the things
5 you said this morning, your characterization of Ms.
6 Grace Miller, what this case has done to you, and what
7 it has meant to you to go through this process. I took
8 copious notes. I didn't want to not quote you
9 accurately. Here are some of the things that you said.
10 Sometimes when others read back to us what we say, it
11 might sound a little different.

12 You characterized Ms. Grace Miller as having
13 engaged in petty accusations against you and that Ms.
14 Miller uses the legal system to attack you and that Ms.
15 Miller is a violent stalker and that she has targeted
16 you and that Ms. Miller has taken advantage of you and
17 that Ms. Miller has caused you permanent emotional
18 harm. And that Ms. Miller's behavior has resulted in,
19 and I quote, sensationalized postings of you, used even
20 the word that Ms. Miller has raped your identity. That
21 is an incredibly strong and powerful word, and I will
22 add, that was grossly misused by you in every which way
23 possible.

24 And if this Court is speaking rather slow and
25 every third word is taking a break, as you so noted,

1 it's because I want to make sure that you pick up on
2 everything I say. If you have not understood me
3 because of the way I speak, I encourage you highly to
4 ask Mr. Wenger, who has dutifully, zealously
5 represented you throughout this proceeding, after
6 today's court hearing, of what my order means. If you
7 find it difficult to comprehend this Court, based on
8 your judgment of me and my physical appearance, again,
9 I implore you to sit down with Mr. Wenger, go line by
10 line over exactly what the Court's sentencing order is.
11 I will not dignify anything else you have said or made
12 assumptions about other officers of the court, the city
13 attorney's office, specifically including Ms. Yamy
14 Vang.

15 You have further said, Ms. Miller has no concerns
16 for others. You have said, I, Brock Fredin, am
17 homeless because of Ms. Miller's behavior. You have
18 said, Ms. Miller is destructive. You have asked the
19 question, and I repeat it back to you, who does Grace
20 Miller think she is? I will turn the question on you,
21 sir. Who does Brock Fredin think he is? You're going
22 to have a lot of time -- quiet time, I might add -- to
23 think about, who is Brock Fredin? Who does he want to
24 be in the future?

25 You asked, did Ms. Miller think about what she did

1 to my mother? You asked, did Grace Miller realize the
2 negativity she has impacted on others? You said, Ms.
3 Miller detailed and pursued false, vindictive
4 allegations against you. You said, why couldn't Ms.
5 Miller just have easily talked this out? You said, and
6 I quote, Ms. Miller is evil -- or that she's acting in
7 an evil manner.

8 This Court would rarely ever consider anyone evil,
9 no matter what their behavior is, no matter what crime
10 they've done. I generally like to believe people are
11 trying their best with what they have. I generally
12 like to give individuals the benefit of the doubt.

13 You, Mr. Fredin, however, I cannot give you the
14 benefit of the doubt. You have callously used the word
15 evil and imposed it on Ms. Miller. For you to turn the
16 tables around so severely tells this Court only one
17 thing: that you are a deeply deranged, narcissistic,
18 psychotic, sociopathic individual. I am no
19 psychologist, nor do I pretend to be one, but that is
20 the individual that you have portrayed yourself to this
21 Court.

22 And Mr. Wenger's right. It is rare for any
23 jurist/any judge to give a full sentence to someone who
24 comes before the Court for what appears to be their
25 first conviction for a criminal offense. You had the

1 benefit of Mr. Wenger's representation this morning.
2 He has been around our court system for a long time.
3 He knows the law. He knows the procedure.

4 The Court does not take you to be any ordinary
5 man. Your case is like no other. You are like no
6 other. Your action has been extraordinarily different.
7 How has it been different? You have misused and you
8 have abused the legal system to highest degree for your
9 interest and your benefit. More specifically, you have
10 misused and abused the Internet, social media, Twitter,
11 YouTube, social dating websites, to play -- and I want
12 you to hear me carefully, because these are words that
13 you've used on others -- to play cruel, twisted,
14 psychological mind games on Ms. Miller. That is what
15 you have done, and that is what you're likely to
16 continue to do.

17 Don't make any mistake, Mr. Fredin, that I
18 actually think anything I say this morning will impact
19 you, because I don't. Throughout the jury trial, you
20 specifically said in one of your messages, among the
21 many messages you sent to Ms. Miller -- you said, this
22 is just me, Brock Fredin, playing mind games with you.
23 That was your exact words to Ms. Miller.

24 How are you different? You have shown absolutely
25 no sense of a grip on reality. To this very moment,

1 you still claim to implore your love for Ms. Miller.
2 It is astounding to this Court how your sense of
3 reality is so warped and so deranged. If you have not
4 understood Ms. Miller up until this point, let this
5 Court make it very clear to you, because you've asked
6 her to communicate what she wants. Ms. Miller wants
7 you to leave her alone, both in person and all -- in
8 every form of social media, on the Internet. Do not
9 contact her lawyer. Do not post anything about her
10 anymore, period. Do not contact her, period. That is
11 what Ms. Miller wants.

12 You have no awareness, Mr. Fredin, of what your
13 behavior has done to Ms. Miller or others. It is you
14 who lacks that insight and not Ms. Miller. You have no
15 awareness nor do you care to gain insight on the
16 emotional harm that you have caused Ms. Miller or the
17 fear of possible physical harm by Ms. Miller, but above
18 all, Mr. Fredin, you have no awareness, and I might
19 add, nor do you care to have any awareness, that you
20 have violated the very core of Ms. Miller's sense of
21 personal safety. As human beings, everyone deserves to
22 feel safe. You have violated that. You have taken
23 that away from Ms. Miller.

24 You have mocked Ms. Miller throughout these
25 proceedings. You have minimized in every possible way

1 the harm you have done onto her. You have no respect
2 whatsoever for our legal system and the laws, the laws
3 that have been imposed upon you. The violation of the
4 harassment/restraining order stems out of that grave
5 disrespect for the law. You have no insight into how
6 this behavior is attempting to smear, destroy Ms.
7 Miller's personal, academic, and professional life, and
8 how that is just simply wrong.

9 If you lost your job, sir, or if you lost your
10 sense of whatever dignity you had, it is because of
11 your own doing. You've also done more harm to Ms.
12 Miller along the way. You have not once shown an
13 interest or desire in understanding that.

14 Again, I don't pretend to be a psychologist, but
15 if I were to make an observation of you based on your
16 demeanor throughout these proceedings, I would almost
17 say, you seem to enjoy the cruelty that you have done
18 onto Ms. Miller. It has been just a mind game, as you
19 said so yourself, that you enjoy playing with Ms.
20 Miller.

21 For all of these reasons, justice requires that
22 this Court does the following: First, I'm going to
23 make it very clear to you, sir, Probation will actively
24 -- actually, strike that.

25 The Court will accept the jury's finding of guilt

1 as to Brock William Fredin, after having gone through a
2 jury trial, in Count 1, the gross misdemeanor stalking.
3 The Court will also accept the jury's finding of guilt
4 as to Count 2, the misdemeanor violation of restraining
5 order. I will adjudicate you as to Count 1; however, I
6 will not adjudicate you as to Count 2.

7 Accepting the plea of guilty, I hereby adjudicate
8 you as to Count 1 and sentence you as follows: You are
9 to serve 365 days at the workhouse, pay a fine of \$50,
10 plus \$86 in court costs, for a total of \$136. I will
11 waive the public defender fee.

12 Thank you, Mr. Wenger, for stepping in.

13 You shall serve 365 days at the workhouse. You
14 are to be given credit for the five days you've already
15 done. You are to be taken immediately into custody.

16 Mr. Christie, because I've executed the sentence,
17 am I barred from signing a Criminal Domestic Abuse
18 No-Contact Order?

19 MR. CHRISTIE: Yes, Your Honor. The victim,
20 Ms. Miller, has the benefit of a Harassment/Restraining
21 Order prohibiting the defendant from having any contact
22 with her for the next 50 years.

23 THE COURT: And I did read that. It was
24 five-zero, Mr. Fredin, in case you didn't quite catch
25 it.

1 MR. CHRISTIE: As a result of the criminal
2 sentence in which you executed the entire year, the
3 appropriate act would be to cancel the current Criminal
4 No-Contact Order. Because the Court has executed the
5 full sentence, there is no probation in which to
6 enforce any probationary no-contact order.

7 THE COURT: So let me sign that cancellation
8 of the DANCO, please. Mr. Wenger, did you wish to be
9 heard?

10 MR. WENGER: Yes, Your Honor. My client came
11 with his mother today. His mother has recently had a
12 stroke and she is in a wheelchair, and he is her
13 transportation home. I'm asking the Court to consider
14 a stay-to-serve so that he can provide for his mother
15 before he serves the entire sentence that the Court has
16 imposed today.

17 THE COURT: This Court is sympathetic to the
18 fact that his mother is reliant on Mr. Fredin for
19 transportation. However, under the unusual
20 circumstances, I will not permit Mr. Fredin to turn
21 himself in. His mother will be expected to make other
22 arrangements.

23 Thank you.

24 MR. CHRISTIE: Your Honor, may counsel
25 approach?

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THE COURT: Yes.

(Whereupon, a brief off-the-record discussion
was held.)

THE COURT: For clarity, there is not a
Domestic Abuse No-Contact Order in this case. Thank
you, everyone. That'll be all.

(Whereupon, the matter came to a close.)

* * *

1 STATE OF MINNESOTA)
2) SS.
3 COUNTY OF RAMSEY)

4 REPORTER'S CERTIFICATE

5 Be it known that Libby Gulbranson took the
6 proceedings in the case of State of Minnesota v. Brock
7 William Fredin, on October 17, 2018, at the Ramsey County
8 Court House, St. Paul, Minnesota;

9 that the proceedings were recorded in stenotype and
10 then reduced to print by means of Computer-Assisted
11 Transcription under my direction and that the transcript is
12 a true record of the proceedings, to the best of my ability;

13 that I am not related to any parties hereto nor
14 interested in the outcome of the action.

15 Dated this 14th day of December, 2018.

16
17
18 /s/ Patricia J. Kinning

19 Patricia J. Kinning
20 Official Court Reporter to the
21 Honorable Lezlie Ott Marek
22 25 W. Seventh Street, #B404
23 St. Paul, Minnesota 55102
24 (651) 266-8329
25

Exhibit B

Filed in the Second Judicial District
Ramsey County, MN

State of Minnesota
Ramsey County

Nov 17 2016 3:01 PM

District Court
Second Judicial District

Court File Number:	62-HR-CV-16-411
Case Type:	Harassment

Catherine Schaefer Vs Brock William Fredin

**Order Granting
Harassment Restraining Order
After Hearing
(Minn. Stat. §609.748)**

This matter was heard by Clysdale, Elizabeth, Judge/Referee of District Court, on November 17, 2016.

Appearances:

BROCK FREDIN, Respondent, present
Catherine Schaefer, Petitioner, present

NATHAN HANSEN, Attorney, present
PETER MAYER, Attorney, present

Now, therefore, based upon the evidence adduced and upon all the files, records and proceedings herein, the court finds:

1. ☐ The Respondent denies the allegations of the Petition but has no objection to the issuance of a Restraining Order. The court makes no findings of harassment.
2. ☒ There are reasonable grounds to believe that Respondent(s) has engaged in harassment of Petitioner(s) or the minor child (ren) or ward(s) of Petitioner by committing the following acts:

- ☐ physically or sexually assaulted the Petitioner(s) as follows: _____
- ☐ followed, pursued or stalked the Petitioner(s) as follows: _____
- ☐ made uninvited visits to the Petitioner(s) as follows: _____
- ☐ made harassing phone calls to the Petitioner(s) as follows: _____
- ☐ made threats to the Petitioner(s) as follows: _____
- ☐ frightened Petitioner(s) with threatening behavior as follows: _____
- ☐ called the Petitioner(s) abusive names as follows: _____
- ☐ damaged Petitioner's property as follows: _____
- ☐ broke into and entered the Petitioner's residence as follows: _____
- ☐ stole property from the Petitioner(s) as follows: _____
- ☐ took pictures of the Petitioner(s) without permission of the Petitioner(s) as follows: _____
- ☐ did acts repeatedly that meet the legal definition of "targeted residential picketing" as follows: _____
- ☐ attended public events after being notified that Respondent's presence at the events is harassing to Petitioner(s) as follows: _____
- ☒ other: Petitioner made it clear to the Respondent in 2014, and several times thereafter, that she did not want any contact. Respondent proceeded to contact the Petitioner, as set forth in exhibit P2, knowing that she did not want any contact with him. The contact, as set forth in exhibit P2, was repeated, unwanted, and had the effect of having a substantial adverse effect on Petitioner's security and privacy.

3. ☐ The harassment has or is intended to have a substantial adverse effect on Petitioner's safety, security, or privacy.
4. ☐ The relief granted by this order may be for a period of up to 50 years based on the finding that:
 - ☐ The petitioner has had two or more previous restraining orders in effect against the same respondent; or
 - ☐ The respondent has violated a prior or existing restraining order on two or more occasions.

It is Ordered:

1. ☒ Respondent(s) shall not harass ☒ Petitioner ☐ Petitioner(s) minor child (ren) or ward(s).
List minor child (ren), wards included in this Petition:

2. ☒ Respondent shall have no direct or indirect contact with ☒ Petitioner ☐ Petitioner's minor child/ren or ward(s), including any visits to or phone calls to the protected person(s), contact via electronic means such as email or social networking sites, threats or assaultive behavior to the protected person(s), damaging or stealing property belonging to the protected person(s), breaking into and entering the protected person(s) residence, and/or taking pictures of a protected person without permission of the Petitioner.
3. ☒ Respondent(s) is prohibited from the Petitioner's home at: CONFIDENTIAL (address).
4. ☒ Respondent(s) is prohibited from the Petitioner's job site at CONFIDENTIAL (address).
5. This Order shall remain in effect until November 17, 2018. Date (not to exceed two years unless findings made to support longer order)
6. The Court Administrator shall send a copy of this Order to the following law enforcement agency(s):
Ramsey County Sheriff's Department and St. Paul Police Department. **Every police department and sheriff's office in the United States, include those affiliated with tribal and territorial lands is responsible for enforcing this Order under 18 U.S.C. § 2265 Full Faith and Credit of Protective Orders.**
7. If Respondent is an organization, this order ☐ shall / ☐ shall not apply to all members of the organization.
8. Other: _____
9. The sheriff of any county in the State of Minnesota shall perform the duties relating to serving this Order without charge to Petitioner.

NOTICE

Any conduct by the Respondent in violation of the specific provisions provided in the "It Is Ordered" section above constitutes a violation of this Harassment Restraining Order. A police officer shall arrest the Respondent without warrant and take the Respondent to jail if the police officer believes the Respondent has violated this Order, and shall hold the Respondent in jail for at least 36 hours, excluding the day of arrest, Sundays, and legal holidays, unless the Respondent is released by a judge or judicial officer.

Violation of this Harassment Restraining Order may be treated as a misdemeanor, gross misdemeanor, or felony. A misdemeanor violation may result in a sentence of up to 90 days in jail and/or a fine of \$1000.00. Some repeat violations are gross misdemeanors that may result in a sentence of up to one year in jail and/or a \$3,000.00 fine. Other violations are felonies that may result in a sentence of imprisonment for up to five years and/or a fine of \$10,000.00. A person who engages in a pattern of harassing conduct is guilty of a felony and may be sentenced to imprisonment for up to ten years and/or a fine of \$20,000.00.

If the court grants this Harassment Restraining Order for a period of up to 50 years under Minn. Stat. §609.748 subd. 5, the Respondent must wait 5 years to seek modification of the Harassment Restraining Order.

THE FOREGOING ORDER IS RECOMMENDED:

Dated: _____



Clysdale, Elizabeth (Referee)
Nov 17 2016 3:01 PM

Referee of District Court

THE FOREGOING ORDER IS CONFIRMED:

Dated: _____

Judge of District Court

State of Minnesota
Ramsey County

District Court
Second Judicial District

Court File Number: 62-HR-CV-16-411

Case Type: Harassment

Notice of Filing of Order

Catherine Schaefer vs BROCK WILLIAM FREDIN

You are notified that on 11/17/2016 the attached order was filed.

Dated: 11/17/2016

Court Administrator
Ramsey

Exhibit C

FILED

JAN 28 2016

State of Minnesota
Ramsey CountyDistrict Court
Second Judicial DistrictBy MP Deputy

Court File Number: 62-HR-CV-16-46

Grace Elizabeth Miller Vs Brock Fredin

**Order Granting Petition for
Ex Parte Harassment Restraining
Order (Minn. Stat. §609.748)**

Based upon Petitioner's Affidavit and Petition for a Harassment Restraining Order and other information provided to the Court, THE COURT FINDS:

There is an immediate and present danger of harassment to justify temporary relief.

☒ There are reasonable grounds to believe that Respondent has harassed Petitioner (or minor children included in the petition) as follows:

- ☐ Physically or sexually assaulted the Petitioner;
- ☐ Followed, pursued or stalked the Petitioner;
- ☐ Made uninvited visits to the Petitioner;
- ☐ Made harassing phone calls to the Petitioner;
- ☐ Made threats to the Petitioner;
- ☐ Frightened Petitioner with threatening behavior;
- ☐ Broke into and entered the Petitioner's residence;
- ☐ Damaged the Petitioner's property;
- ☐ Stole property from the Petitioner;
- ☐ Took pictures of the Petitioner without permission of the Petitioner;
- ☐ Did acts repeatedly that meet the legal definition of "targeted residential picketing;"
- ☐ Pattern of attending public events after being notified that Respondent's presence at the events is harassing to Petitioner;
- ☒ Other: SEE ALLEGATIONS (INCORPORATED IN PETITION)
- ☒ The harassment has had or is intended to have a substantial adverse effect on Petitioner's safety, security, or privacy.

☐ Petitioner requested a court hearing.

IT IS ORDERED:

1. ☒ The request for temporary relief is granted and:

☒ Respondent shall not harass ☒ Petitioner ☐ Petitioner's minor child/ren or ward(s). The minor child/ren or wards included in the Petition are: .



62-HR-CV-16-46

☒ Respondent shall have no direct or indirect contact with ☒ Petitioner ☐ Petitioner's minor child/ren or ward(s), including any visits to or phone calls to the protected person(s), contact via electronic means such as email or social networking sites, threats or assaultive behavior to the protected person(s), damaging or stealing property belonging to the protected person(s), breaking into and entering the protected person(s) residence, and/or taking pictures of a protected person without permission of the Petitioner.

☒ Respondent is prohibited from being at Petitioner home located at: 1656 Dayton AVE Saint Paul, MN 55104 and/or where the petitioner(s) may reside.

☒ Respondent is prohibited from being at Petitioner's job site located at: University of Minnesota Department of English 207 Lind Hall 207 Church Street SE Minneapolis MN 55455 and/or where the petitioner may be employed.

☐ Other: .

2. ☒ This Restraining Order is in effect until January 28, 2018 unless changed by a later court order.
Respondent can ask the court to change or vacate the Restraining Order by filing a Request for Hearing within 20 days of service of the petition.
3. ☐ A hearing will be held on _____ at _____ o'clock _____m at Ramsey County Juvenile and Family Justice Center, 25 W. 7th Street, Court Room 5A, St. Paul MN 55102

The hearing is scheduled because: ☐ Petitioner requested a hearing ☐ Petitioner requested a restraining order for longer than 2 years and the court wants more information about the need for a longer restraining order.

☐ Other _____

Respondent shall appear personally in Court for the hearing and explain why the requests made in the Petition should not be granted. Petitioner shall appear personally in Court for the hearing and harassment.

4. The Court Administrator shall send a copy of this Order to the following law enforcement agencies: Ramsey County Sheriff's Department and Saint Paul and Minneapolis Police Department which have authority over the residence of the Petitioner(s). **Every police department and sheriff's office in the United States, including those affiliated with tribal and territorial lands, is responsible for enforcing this Order under 18 U.S.C. § 2265 Full Faith and Credit of Protective Orders.**
5. If respondent is an organization, this order ☐ shall ☐ shall not apply to all members of the organization.
6. ☐ Petitioner made a request to keep information confidential.
Petitioner's request is ☐ granted as to the ☐ home address ☐ telephone. This information shall not be accessible to the public, but shall be accessible to court personnel and law enforcement for purposes of service of process, conducting an investigation, or enforcing an order.
OR



* 62 - HR - CV - 16 - 46 *

Petitioner's request is ☐ denied and Petitioner's address and telephone is accessible to the public.

7. Other: _____

8. The sheriff of any county in Minnesota shall perform the duties relating to service of this Order without charge to the Petitioner.

9. It is not a violation of this order if the parties pursue or participate in voluntary mediation through court approved mediation programs. The party wanting to mediate must contact the mediation program directly to arrange it. He/she may not contact the other party directly or through friends or relatives. The mediation programs will determine if mediation is acceptable under Minnesota mediation guidelines (Minn. Stat. § 494.03 and Minn. Gen. R. Prac. 114).

NOTICE

If a hearing is scheduled and Respondent does not attend the hearing, a Harassment Restraining Order may be granted. Failure of Respondent to appear WILL NOT be a defense to criminal charges against Respondent for violation of any part of this Order. If Petitioner does not attend the hearing this case may be dismissed.

Any conduct by the Respondent in violation of the specific provisions provided in Section 1 above constitutes a violation of this Harassment Restraining Order. A police officer shall arrest Respondent without warrant and take her/him to jail if a police officer believes that Respondent has violated this Restraining Order, and shall hold Respondent in jail for at least 36 hours, excluding the day of arrest, Sundays, and legal holidays, unless the Respondent is released earlier by a judge or judicial officer.

Violation of this Harassment Restraining Order may be treated as a misdemeanor, gross misdemeanor, or felony. A misdemeanor violation may result in a sentence of up to 90 days in jail and/or a \$1000.00 fine. Some repeat violations are gross misdemeanors and may result in a sentence of up to one year in jail and/or a \$3,000.00 fine. Other violations are felonies and may result in a sentence of imprisonment for up to five years and/or a \$10,000 fine. A person who engages in a pattern of harassing conduct is guilty of a felony and may be sentenced to imprisonment for up to ten years and/or a fine of \$20,000.00.

THE FOREGOING ORDER IS RECOMMENDED:

Dated: 1-28-16


Referee of District Court

THE FOREGOING ORDER IS CONFIRMED:

Dated: _____

Judge of District Court

Distribution

_____ Certified copy or original – Return to Court Administrator with Affidavit of Service attached	_____ Copy for Respondent(s)
_____ Copy for Petitioner(s)	_____ Copy for local police department
_____ Copy for file until original returned	_____ Other: _____
_____ Copy for Sheriff	



* 62 - HR - CV - 16 - 46 *

State of Minnesota
Ramsey County

District Court
Second Judicial District

Court File Number: **62-HR-CV-16-46**

Case Type: Harassment

Notice of Filing of Order

Grace Elizabeth Miller vs Brock Fredin

You are notified that on 1/28/2016 the attached order was filed.

Dated: 1/28/2016

Tama L. Hall
Court Administrator
Ramsey County District Court
25 West Seventh Street
St Paul MN 55102
651-266-5130



Exhibit D

FILED

State Of Minnesota

JUN 29 2016

District Court

County Ramsey	By <u>MP</u> Deputy	Judicial District: <u>SECOND</u>	Court File Number: <u>624PCW16TH</u>
		Case Type: Harassment	

Petitioner's Affidavit and Petition for Harassment Restraining Order
(Minn. Stat. §609.748)

Petitioner

Name: Catherine Schaefer	
Address: CONFIDENTIAL	
CONFIDENTIAL	
Date of Birth: 7/18/1984	
On behalf of: (names of minor children who are victims of harassment and their dates of birth)	
Name:	DOB:
Name:	DOB:
Name:	DOB:

vs.

Respondent

(Person harassing you or your minor child)	
Name: Brock William Fredin	
Address: 1180 Grand Ave Apt 2	
St. Paul, MN 55105	
Date of Birth: 12/12/1983	
(if known, or approximate age)	

STATE OF MINNESOTA)
COUNTY OF RAMSEY) SS
(County where affidavit is signed)

I understand that I must tell the truth. I state that:

1. I am the Petitioner in this case. The victim of the harassment is ☒ me ☐ a minor child for whom I am the parent, legal guardian or stepparent. (If you are the guardian, attach a copy of the order appointing you.) The name of each victim, other than me, is:

2. a) How many restraining orders have been in effect, ordering Respondent to stay away from the victims you included at #1 above? ☒ none ☐ one ☐ two or more. For each restraining order provide:

Court File Number, if known	County and State where the court is located

b) Does Respondent have a current Harassment Restraining Order or Order for Protection against you?

☐ Yes, Case File Number (if known) _____ ☒ No, I am not aware of any.

3. The following court cases involve me and the Respondent in issues of child custody or parenting time:

Court File Number	County and State where the court is located

4. Respondent has harassed the victim(s) as follows:

- Check all boxes that apply and give the date and details of each incident.
- To get a Restraining order, you must describe actions that meet the legal definition of harassment in Minnesota. See the Instructions for the definition of harassment.
- One incident of physical or sexual assault can meet the definition of harassment. For any other act, there must be more than one incident.
- If you need more space, attach a full sheet of paper and continue your description there. Do not write on the back.

☐ Respondent physically or sexually assaulted the victim as follows: _____

☒ Respondent has followed, pursued or stalked the victim as follows: Brock has been messaging me since January of 2014. I have received multiple messages from different profiles on OKCupid.com, and collarspace.com. I have also received texts from numbers that I do not recognize, all saying the same thing indicating that it is him. His most recent

messages include my advisors' information and threats to escalate if I do not apologize for making him cry. He clearly obtained this information by looking up my program, which indicates a continued obsession with me and my whereabouts spanning two and a half years.

☐ Respondent made uninvited visits to the victim as follows: _____

☒ Respondent made harassing phone calls to the victim as follows: I have received text messages since January 2014, after which I told him not to contact me again. He continued until November 2014, and I decided to file a police report. After that, he messaged me again on 12/14/14, 12/20/14, 2/11/15, 5/7/15, 5/10/15, 3/29/15, 8/12/15 and 8/22/15. By August, I had moved to State College and was told the Minneapolis police could no longer record my complaints. I continued to receive messages every few months, but thought that things were settling and he did not know that I had moved, and so did not file a new report until recent threats.

☒ Respondent made threats to the victim as follows: Brock has directly threatened to contact my advisors in my PhD program and make claims that I have caused him psychological harm by continually blocking him. He pasted the advisors' contact information into his messages to let me know he had it. He also published a profile on datingpsychos.com that included my name, location, and PhD program. These results come up before my university credentials when my name and location is Googled, and threaten my education and opportunities to conduct research.

☒ Respondent frightened the victim with threatening behavior as follows: Brock has continued to contact me multiple times despite being told to stop. He has threatened my education and career and also indicated unspecified "escalation" if I do not apologize for making him cry.

☐ Respondent broke into and entered the victim's residence as follows: _____

☐ Respondent damaged the victim's property as follows: _____

☐ Respondent stole property from the victim as follows: _____

☐ Respondent took pictures of the victim without permission as follows: _____

☐ More than once, Respondent has done acts that meet the legal definition of "targeted residential picketing" by: _____

☐ I told Respondent not to come to certain public events that I or the children attend because:

After that, Respondent attended public events I/we attended: (List dates, places and name of events)

These acts by Respondent show a pattern of attending public events while knowing that attending is harassing to me/children.

☐ Other: _____

5. Describe the effect the harassment has upon the victim's safety, security or privacy:

I have been very distressed by this behavior each time it happens, and increasingly so in the past month. I have discussed plans with my advisor to postpone a call for research participants until my online reputation is secured. I have closed down certain profiles on dating sites for fear that he might find me. I had relevant professional information removed from my program website. Brock knows details about my sexual interests and orientation, as well as performance and work history in the adult and sexual health industry. I have had to share these details with my professional colleagues because they could be damaging out of context. I believe this has

changed the way some of my colleagues see me, but it was not something I wanted preceded by Brock's efforts to make things sound anything less than completely above board.

6. Do you believe the harassment will continue? Why?

I believe the harassment will continue because it has gone on for two and a half years and only increased in intensity.

7. I ask the Court to issue a Restraining Order as follows: *Check all boxes (a through e) that apply.*

☒ a. Respondent shall not harass ☒ me ☐ minor child (ren) for whom I am the parent, legal guardian, or stepparent. List the full names of the minor children included in this Petition: _____

☒ b. Respondent shall have no contact with ☒ me ☐ the minor child(ren) listed above.

☒ c. Respondent shall stay away from where I/we live (address) I DON'T WANT HIM KNOWING MY ADDRESS.

☒ d. Respondent shall stay away from my/the victim's job site located at CONFIDENTIAL

☐ e. Other: _____

8. Court Hearing

Petitioner: Read these Notices about a Hearing

- You have a right to request a court hearing.*
- If the Judge dismisses your case because it has no merit, no hearing will be held.*
- The Judge can issue a Restraining Order without a court hearing if the Judge finds there is immediate and present danger of harassment.*
- If the Judge issues a Restraining Order without a hearing, the Respondent can request a hearing within 45 days of the date the Restraining Order is issued. If Respondent requests a hearing, the court will notify you by mail at least five days before the hearing date.*
- If there is a hearing, you must attend the hearing and prove that the statements in your Petition & Affidavit are true, and that Respondent's actions are harassment, as defined by Minnesota law.*

Choose a. or b.

☒ a. I am not requesting a court hearing at this time.

But if the court denies my request for a restraining order because the court finds there is no immediate and present danger of harassment, then (check one) ☒ I want ☐ I don't want a court hearing.

OR

☐ b. I am requesting a court hearing.

9. I request a Restraining Order for a length of:

☒ 2 years

☐ Until the following date: _____, which is less than 2 years from _____ today.

☐ Up to 50 years because:

☐ I have two or more prior restraining orders against Respondent (listed at #2 above.)

☐ Respondent has violated a prior or existing restraining order between us on two or more occasions.

I understand the court will likely schedule a court hearing for any request over 2 years.

I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116.

Dated: 6/29/16


Signature

Name Catherine Schaefer

Address _____

City/State/Zip _____

Telephone (266) 437 4661

E-mail address: cschaefer@gmail.com

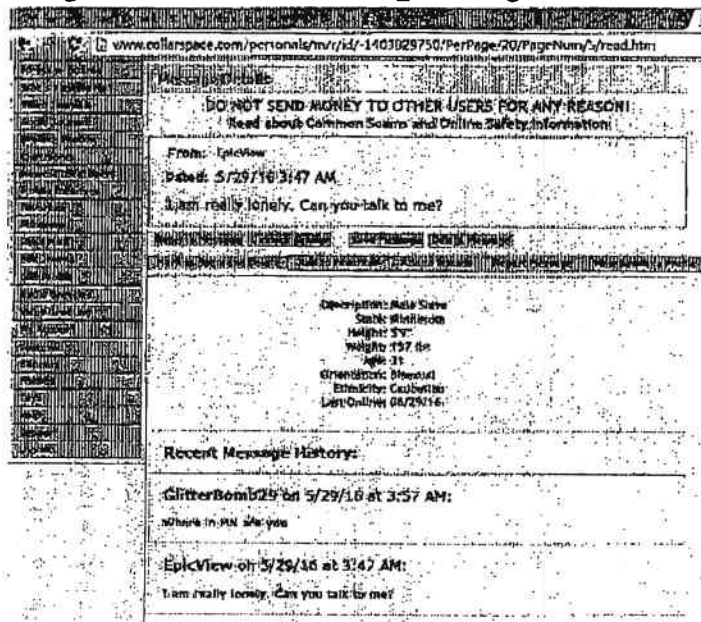
Notice: If your address or telephone changes, you must give Court Administration your new information right away, in writing.

Catherine Schaefer HRO Affidavit

1

I am writing to request a harassment restraining order to prevent Brock Fredin from contacting me or posting about me on the internet or social media. The following describes Brock's two and a half year history of harassing and defaming me, beginning with the most recent incident and continuing to describe earlier behavior.

On May 29th at approximately 3 AM, I got a message from a profile in MN saying "I am really lonely, can you talk to me?" I was missing my MN friends, and thinking about an event that was coming up, and the username did not sound like any Brock had previously used. I didn't think it was him. I responded asking where in MN the person was, and in his reply I saw pictures and recognized Brock. The following exchange occurred:



From: EpicView - Sent 5/29/2016 3:47:46 AM

I am really lonely. Can you talk to me?

To: EpicView - Sent 5/29/2016 3:57:29 AM

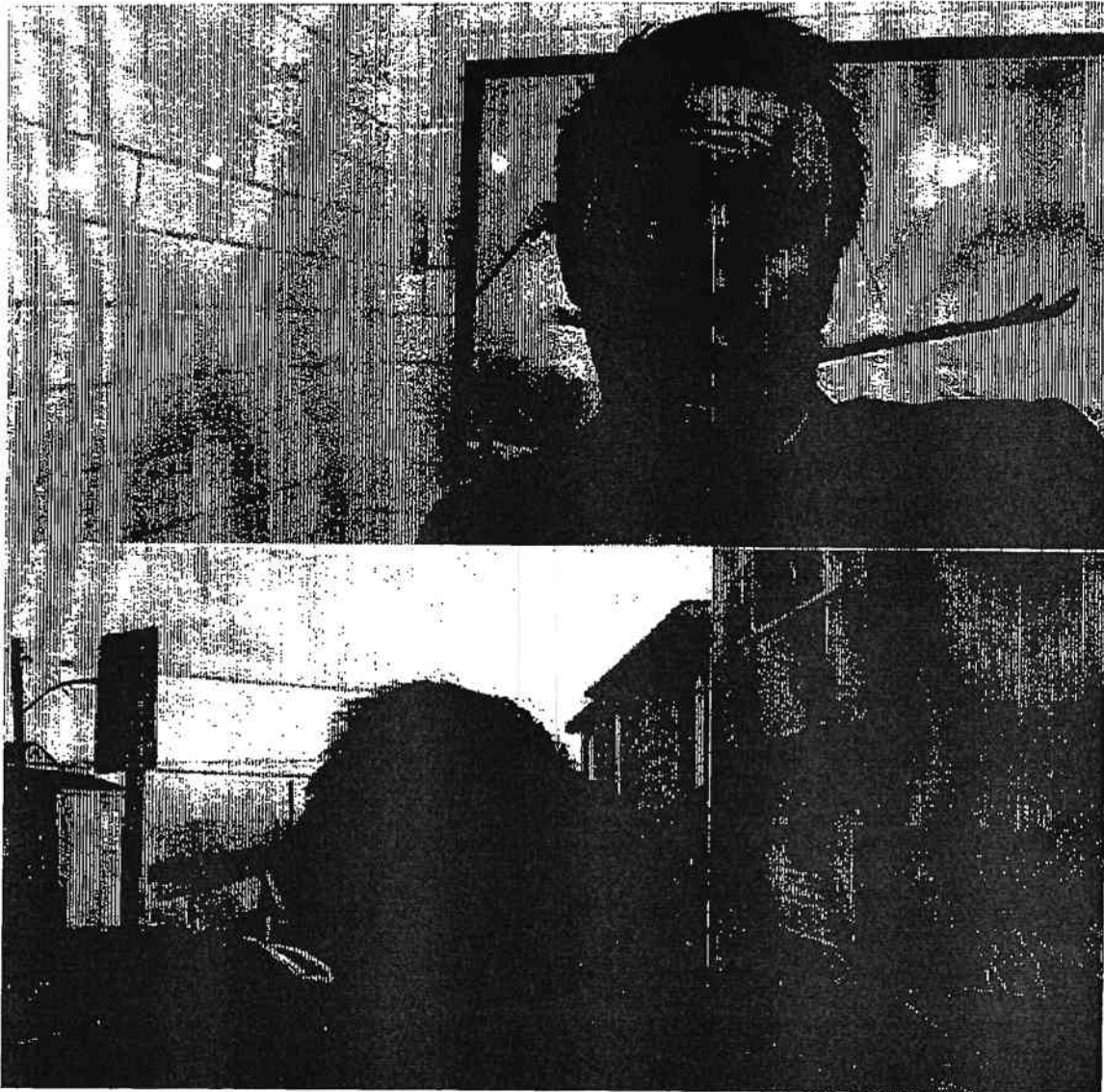
Where in MN are you

From: EpicView - Sent 5/29/2016 4:00:47 AM

I am in St. Paul. I'm sorry for asking. I don't want to bother. Just no one talks to me. I just feel isolated.

Catherine Schaefer HRO Affidavit

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THIS IS WHERE PICTURES SHOW UP, EITHER BECAUSE HE ATTACHED THEM OR BECAUSE THEY ARE PART OF THE PROFILE HE MESSAGED FROM. THEY WERE NOT VISIBLE IN THE FIRST MESSAGE. I REALIZE IT'S HIM AND BLOCK HIM

From: goldfetch - Sent 5/29/2016 4:10:09 AM

I'm so incredibly lonely. No one will talk to me. I'm hot and still nothing. You blocking me breaks my heart. I'm so hurt. I start to treat all women like shit based on the lessons women like you provide. You're just perpetuating the problem. Fuck you. Seriously. Fuck you. Why are you so fucking heartless, bitch? I hope to die.

Catherine Schaefer HRO Affidavit

3

I THEN BLOCK THIS PROFILE

From: GimpKeeper - Sent 5/29/2016 4:14:12 AM

Since you're studying psychology and a bitch to people online and causing serious mental harm to others...I'm notifying your PHD people at Penn State, cunt. I hope you get consequences for your actions, cunt.

From: GimpKeeper - Sent 5/29/2016 4:18:06 AM

Sherri Gilliland and Kristin Buss are getting emails. Think about the impact your actions have on the emotions of others. I am shattered. Absolutely shattered because of your behavior. It breaks me. I cried several times. Here you are studying psychology and causing emotional distress to others. I'm sick of dealing with people like you. If that's not your program, they'll find you regardless in whatever program you're in. If you continue to block me and others for no reason at all I'm going to bring it up even further. Director of Graduate Studies: Kristin Buss For information on The Graduate Program please contact Sherri Gilliland (814) 863-1721 sbg4@psu.edu Location: Graduate Office Department of Psychology 125 Moore Building The Pennsylvania State University University Park, PA 16802-3106

THESE ARE THE MESSAGES DOWNLOADED FROM COLLARSPACE.COM, ORIGINALS HAVE CONTACT INFO FOR BOTH SHERRI AND KRISTIN COPIED FROM THE PSU WEBSITE

From: GimpKeeper - Sent 5/29/2016 5:50:53 AM

Tables are reversed on you. Can't be a total dickhead to everyone and get away with it anymore.

From: PartyLogic - Sent 5/29/2016 5:52:52 AM

Got a message from a slave who paid me \$40. Wanted to say something to you. Sent me a screenshot. Ha..... You're a broken Domme? Here's what he said: You can't finally get away with your dickhead moves. They actually come around and hurt you. Think twice next time before causing harm and exploiting others. If you apologize to me for wasting my time, causing me emotional distress, and for making me cry. I will forgo any escalation.

Catherine Schaefer HRO Affidavit

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Given that the message from PartyLogic followed less than two minutes later, I'm pretty sure that was him too. He has tried to get me to respond by posing as a female before.

His use of the words "escalation" and direct threat to my status in my PhD program made me feel extremely vulnerable and scared. State College is a very small town. I worried I would be putting my roommates at risk too, now that he knew the town where I lived. I was very upset and called the police and explained my situation. They sent two officers to my house to help me calm down and take my report. Those officers forwarded the information to detective Jon Mayer, who contacted me by phone several days later. I had to take the call at work, and leave work to visit the station and have a discussion with him a few days after. I told him the entire story and gave him the screennames Brock had used. This was particularly difficult because the site is an alternative kink site, and I had to discuss aspects of my sex life with a stranger. I have always been a very mindful member of the kink community. However, given some of the elements of this kind of play, I was concerned that Brock might misconstrue some things mentioned in my profile. The police officer was very open minded officer and was very kind. We agreed that he would call Brock and tell him that police investigation had been requested; I believe he left Brock a vague voicemail.

In the days following, I remembered that my friends were hosting a kink event in Minneapolis, and feared that he may go and harass them since he had previously indicated that he knew I was a performer. I warned them privately and sent his picture. He attended the event but did not harm anyone.

I also had to contact the program advisors he mentioned and have some information removed from the university website. This was particularly upsetting, because I had to disclose details I was not quite ready to share about my personal life to people who ran my program. I told them that I was queer, that Brock was stalking me, and that I had previously worked at a sex shop and performed in burlesque. I knew that Brock knew some of these things and worried he would send that information out of context in an effort to harm my reputation. This could have directly affected my educational success and later my career. I wanted to be able to personally contextualize these things to my supervisors in the event that they were targeted by him if Brock kept his word.

I warned my friends that I was being threatened and they were not to engage with Brock if he inquired about me or pursued them on dating sites. I had seen other women post his picture in a group on Facebook, so I wanted to find out by word of mouth if there was anyone else he was bothering in hopes of getting help. I wanted to see if they had any solutions in Minneapolis or if a case had already been established, since Pennsylvania police were telling me that the fact that we never met meant I could not take advantage of any protection laws in this state.

Around the same time, I met up with a person I had met through a dating site, who informed me that when he looked me up, my name came up on a site called datingpsychos.com. I

Catherine Schaefer HRO Affidavit

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became extremely alarmed as this site listed my PhD program, full name, and location. I forwarded all this information to the police.

Here are screenshots of the search results that turn up the datingpsychos.com page. Brock appears to have edited it so it no longer has all the information, but it still shows my full name and location in Google search results. These results come up before my university credentials appear when "Catherine Schaefer State College" is searched. This is a reasonable way for people to search for me, because Catherine Schaefer is a relatively common name.

The screenshot shows the homepage of datingpsychos.com. The header has a navigation bar with links: HOME, BROWSE, SEARCH PSYCHOS, ADD PSYCHO, FAQS, STORE, REMOVALS, and MY ACCOUNT. Below the header is a section titled "Psycho Profile" with a link to "Previous Psycho". The profile is for Catherine Schaefer, with a "SHARE" button and social media icons. The profile details are as follows:

First Name	: Catherine	Alias 1	: Catherine M Schaefer
Last Name	: Schaefer		
Gender	: Female		
Age	: 32		
Occupation	: PhD Student Penn State		
City	: State College		
Country	: US		

Below the profile details is a text block: "Would not stop contacting me. I told her to stop and she harassed me by setting up profiles with my email attached and spamming me. Claims to be 29 on profiles but she is actually 31 or 32."

Below the text block is a section titled "Updates" with a message: "No Psycho Updates Found".

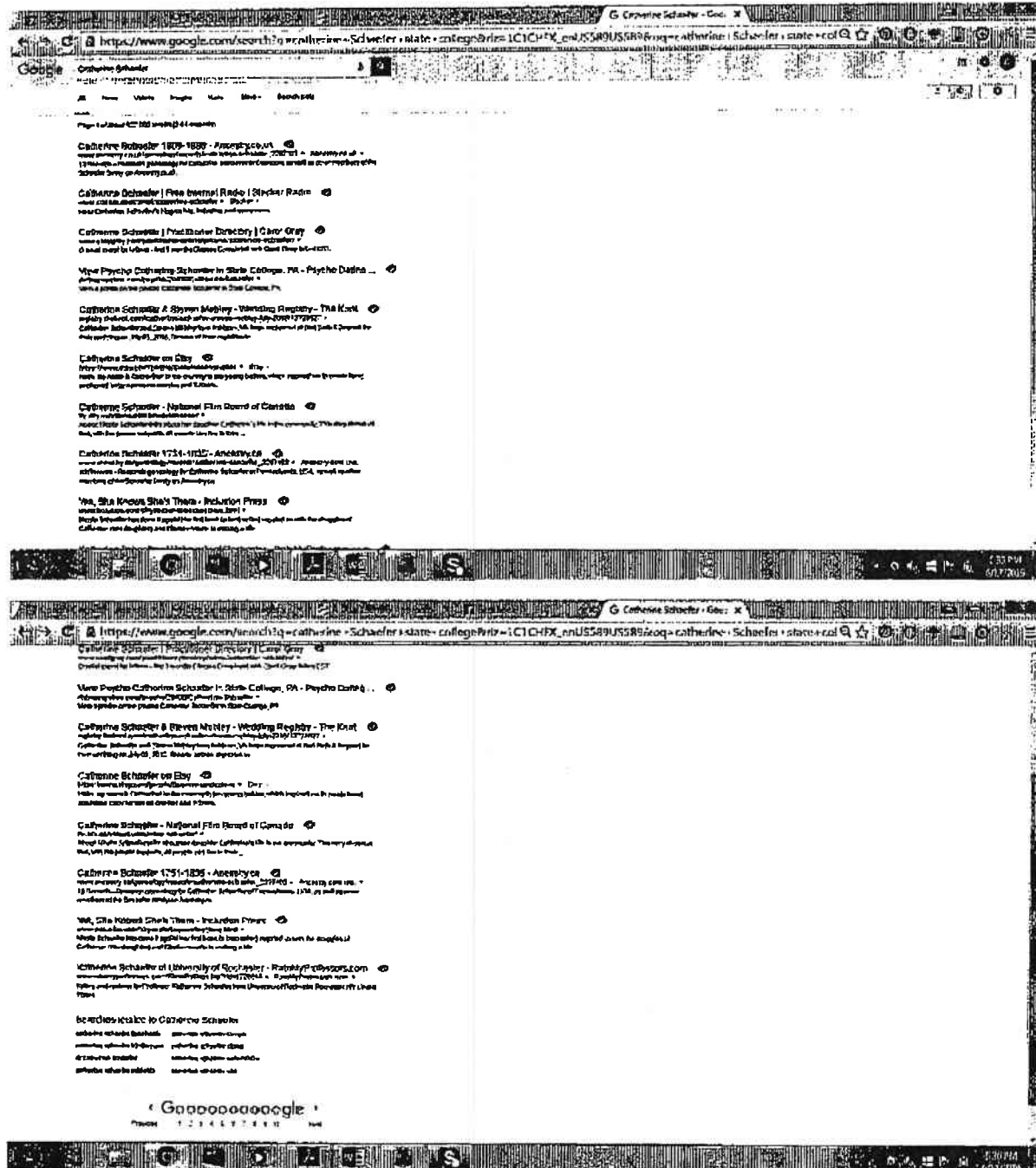
Below the updates section is a section titled "Polls" with a message: "No polls found."

6



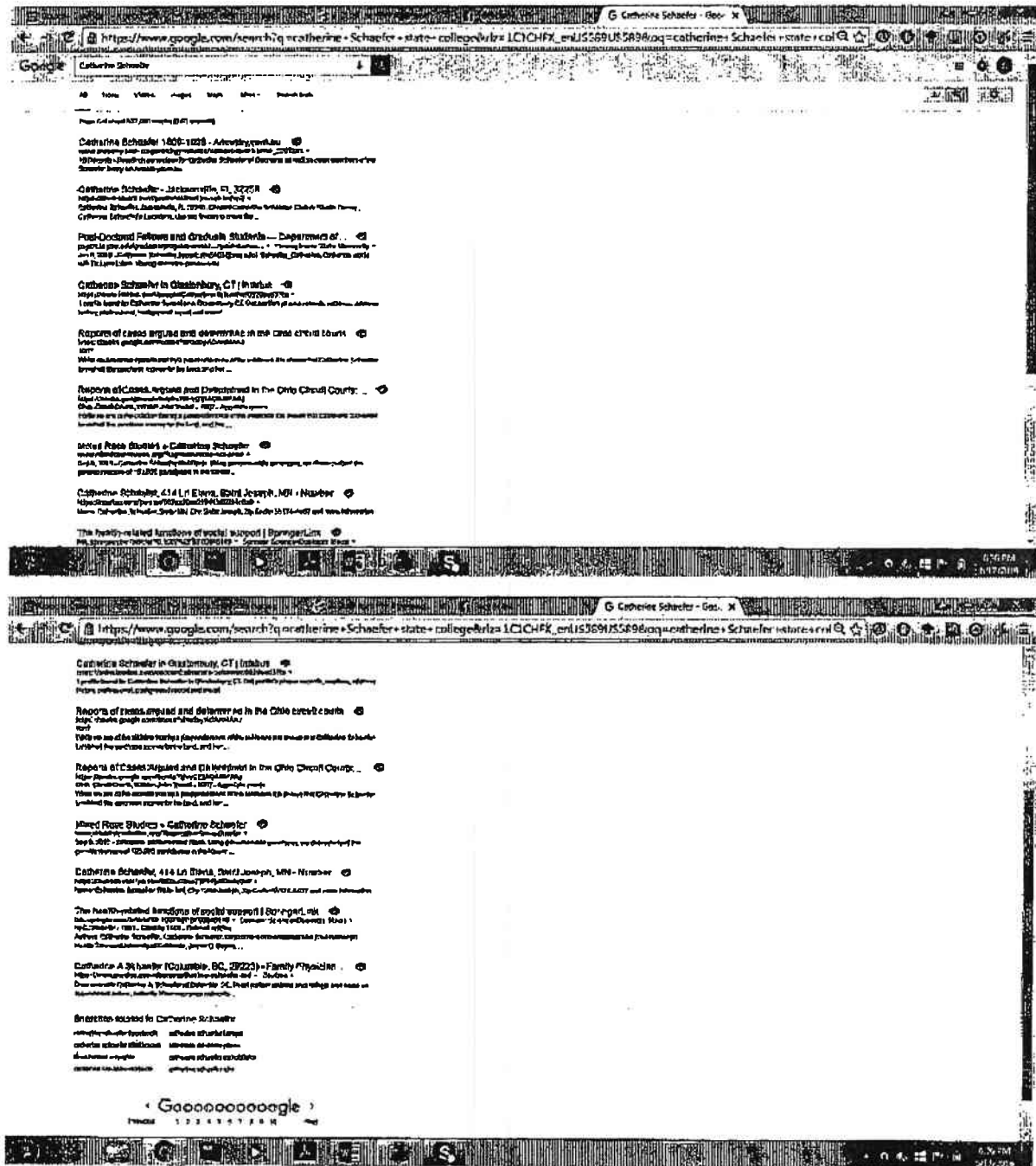
Catherine Schaefer HRO Affidavit

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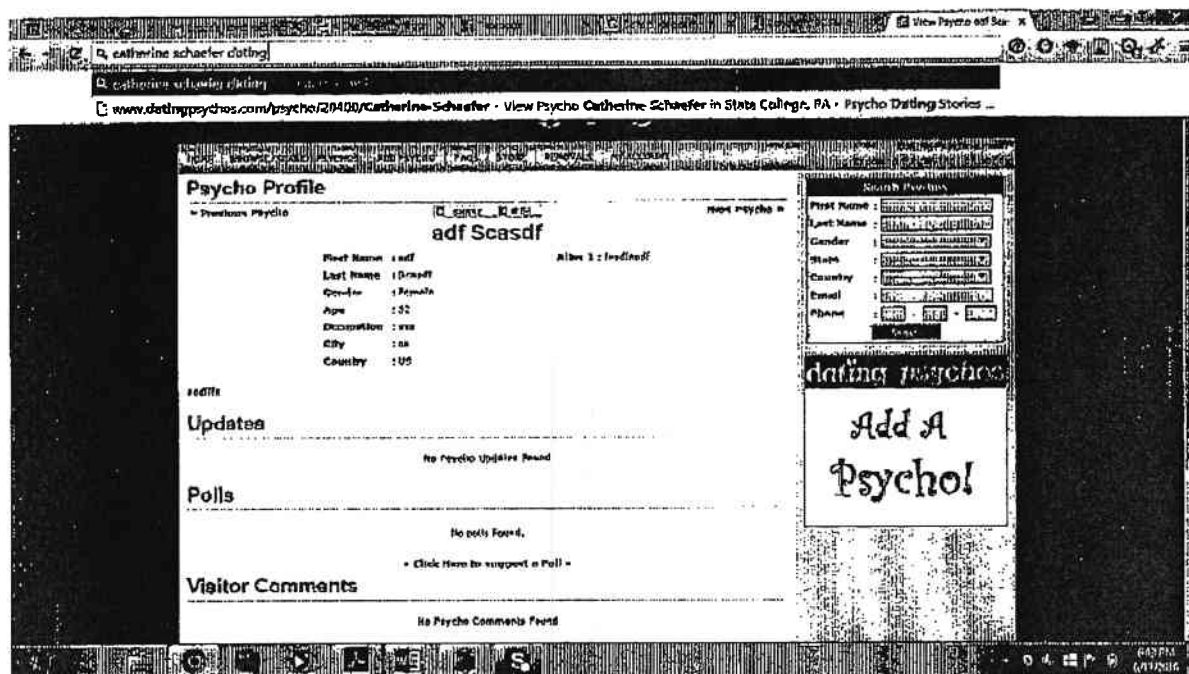
Catherine Schaefer HRO Affidavit

8



Catherine Schaefer HRO Affidavit

9



This is extremely distressing as I am a second year graduate student and just beginning to plan projects that require national collaboration. If someone is searching for me, this information above will come up previous to my academic information. I will be working with a vulnerable population that is already hard for researchers to access; if parents find this information it is less likely they will participate in my research, which has repercussions for my PhD and my career. With these examples of how Brock uses different sites to further harass me I am asking the court to order that he not be allowed to mention me on any websites or in any social media posts. Postings about me on sites like datingpsychos.com with results showing up before any of my academic career could negatively affect my research, my PhD, and thus my career. Brock seems to know where the legal line is drawn so that he cannot be easily held accountable for his intimidating behavior.

Given Brock's tenacity in contacting me, I anticipate that things will only get worse when I begin my job search in several years and am no longer able to precede my online reputation with personal relationships. Brock has also made efforts to ruin the reputations of other women who have rejected him. Their posts also specifically state their occupations and reasons of questionable veracity as to why they should not be engaged with professionally.

After a listing for Brock showed up on this site, he contacted me and threatened a law suit. I did not post anything, nor did I instruct anyone to contact him or act on my behalf. I want as little to do with Brock as possible. He first messaged me on Facebook, and when I did not respond, he sent the same message, slightly altered, on collarspace. I did nothing, but was

Catherine Schaefer HRO Affidavit

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Brock has a unique way of writing that would alert me that it was him, or he would call me Cat or Catherine, when I went by a different nickname in social and professional spheres. I told him over text that I was not interested and he was not to contact me again or I would call the police. He responded to those messages begging me to forgive him and telling me he was very depressed, but I didn't contact the police because I was afraid that he would find out and escalate his behavior. I was also concerned that his contact via internet sources was not considered illegal. I do not have these messages saved as they caused me significant distress to see in my inbox and I just wanted him out of my life.

I received a text message in November of 2014 that just said "hello." I was on my way out of town and thought it might be someone from the training I was planning, so I asked who it was. The person said we met at a show, and I explained that since I had someone harassing me, I'd prefer if they sent me a picture so I could recognize their face. Brock sent me his picture. I was terrified that he had come to one of my shows without me knowing it, and I told him in no uncertain terms that I would be contacting the police for his continued unwanted contact. I blocked this number on verizonwireless.com. I called Minneapolis 311 afterward and explained my scenario. The operator took my story and I was contacted by phone by Officer William Schultz (Case # 2014-992779). Officer Schultz and I decided to keep a log of this activity, but since it seemed to be sporadic text contact with no direct threats, I believed it would not be a case that had enough evidence for pressing charges. I didn't know that Minneapolis or St. Paul provided orders for protection for this kind of harassment, and believed that since I hadn't met him, I had no legal options for protection. I was mainly concerned about his ongoing obsession with contacting me and wanted a record in case he escalated. I began carrying his picture on my cell phone and showing it to bouncers when I would perform, and someone else recognized him and gave me his full name- Brock Fredin.

I continued to get messages from screennames similar to his on collarspace.com. On 12/5/14 I got "how are you" and on 12/13/14 I got "you're a huge bitch." I got another on Christmas of that year saying "how are you?" I also received texts from different numbers that would say "Hi Cat;" one on 12/14/14, one on 12/20/14, and one on 2/17/15. I replied to the 12/14 text saying "NOT INTERESTED." One text I received from the number 952-222-8094 said "Hi Cat" and when I asked who it was I got the reply, "Jenna, sexy bi female." I don't know anyone named Jenna. I have not knowingly responded to any other texts.

The texts continued throughout the year. On 5/7/15 and 5/10/15 I received "Hi Cat" from 612-564-0343. Previous to that, I got "good morning cat" on March 29th from 952-222-8094. On 8/12/15 and 8/22/15, I received additional "Hi Catherine" texts. I reported these to Officer Schultz, but I was told that since I had moved from Minneapolis, I should report them to local police. I believed that Brock did not know I had moved. Given that the texts were becoming more sporadic and I was no longer in the area, I felt safer and resigned myself to dealing with this harassment every few months. I was beginning graduate school and did not want him to take up any more of my energy.

Catherine Schaefer HRO Affidavit

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The texts continued sporadically, always saying the same thing, during the fall. I don't specifically recall how many or when because I deleted them, but I am more than willing to give access to my text history. I did get one within the past few months that said "Hi Catherine" and when I asked who it was, I was told "Rachel." I do not know any Rachels, other than one that was already in my phone. I did not knowingly respond to other texts or any messages that could have been from him under alternate profiles on social media.

Brock has consistently ignored my requests to be left alone, and knowingly circumvented any options I have used for blocking him. Given this extended period of harassment and recent defamation, I am requesting the court order Brock to have no further contact with me as I have asked him several times over the years to do so and he continues to contact me using various usernames, social media sites, and texting using different numbers. I am also requesting that the courts order Brock that he is not allowed to write about me on websites or mention me on social media as it is affecting my educational career. This can affect whether partners and participants decide to participate in my research and affect my reputation within my PhD program. Brock's defamation of me could have long term effects on my career and livelihood. I have already spent several therapy sessions dating back to 2014 discussing Brock's presence in my life with a professional. His messages and posts indicate a complete irrationality about any connection with me. I fear that if Brock is allowed to continue this behavior, someone could get seriously hurt, and that person might even be me. I simply want Brock to leave me alone as I asked him to do over two and a half years ago.



Catherine Schaefer
6/29/16

Exhibit E



Neutral
As of: August 29, 2019 6:01 PM Z

Miller v. Fredin

Court of Appeals of Minnesota

January 23, 2017, Filed

A16-0613

Reporter

2017 Minn. App. Unpub. LEXIS 76 *; 2017 WL 280974

Grace Elizabeth Miller, petitioner, Respondent, vs.
Brock Fredin, Appellant.

Outcome

Judgment affirmed.

Notice: THIS OPINION WILL BE UNPUBLISHED AND MAY NOT BE CITED EXCEPT AS PROVIDED BY MINNESOTA STATUTES.

LexisNexis® Headnotes

Subsequent History: Related proceeding at Fredin v. Middlecamp, 2018 U.S. Dist. LEXIS 64946 (D. Minn., Apr. 13, 2018)

Related proceeding at Fredin v. Clysdale, 2018 U.S. Dist. LEXIS 219049 (D. Minn., Dec. 20, 2018)

Decision reached on appeal by Miller v. Fredin, 2019 Minn. App. Unpub. LEXIS 682 (Minn. Ct. App., July 22, 2019)

Prior History: [*1] Ramsey County District Court File No. 62-HR-CV-16-46.

Disposition: Affirmed.

Case Summary

Overview

HOLDINGS: [1]—The record supported a finding that an ex-boyfriend's conduct was harassment under Minn. Stat. § 609.748, subd. 5(b)(3) because the trial court found that the ex-girlfriend communicated that she wanted no further contact by telling him so and by blocking his social media account and phone numbers and that the boyfriend's later emails and text messages from an unknown phone number were repeated unwanted contact.

Civil Procedure > Appeals > Standards of Review > Abuse of Discretion

Criminal Law & Procedure > ... > Crimes Against Persons > Violation of Protection Orders > Application & Issuance

Civil Procedure > Appeals > Standards of Review > Clearly Erroneous Review

HNT Abuse of Discretion

A district court may issue a harassment restraining order if it has reasonable grounds to believe that the respondent has engaged in harassment. Minn. Stat. § 609.748, subd. 5(b)(3) (2014). Harassment is defined in relevant part as repeated incidents of intrusive or unwanted acts, words, or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect on the safety, security, or privacy of another. Minn. Stat. § 609.748, subd. 1(a)(1) (2014). The appellate courts review the grant of a harassment restraining order for an abuse of discretion, and the appellate courts will reverse if the order is not supported by sufficient evidence. The appellate courts defer to the district court's credibility determinations, and the appellate courts will not set

aside its fact-findings unless they are clearly erroneous.

Criminal Law & Procedure > ... > Crimes
Against Persons > Violation of Protection
Orders > Application & Issuance

Civil Procedure > Appeals > Reviewability of
Lower Court Decisions

HN2 Application & Issuance

The controlling statute requires that the court find at the hearing that there are reasonable grounds to believe that the respondent has engaged in harassment. Minn. Stat. § 609.748, subd. 5(b)(3). The statute nowhere requires the district court to make any other findings before issuing a harassment restraining order.

Counsel: For Respondent: Karmen McQuitty,
University of Minnesota Student Legal Service,
Minneapolis, Minnesota.

For Appellant: Nathan M. Hansen, North St. Paul,
Minnesota.

Judges: Considered and decided by Ross, Presiding
Judge; Schellhas, Judge; and Jesson, Judge.

Opinion by: ROSS

Opinion

UNPUBLISHED OPINION

ROSS, Judge

Quoth the Raven, "Nevermore." The district court granted Grace Miller a harassment restraining order against Brock Fredin after Miller ended their romantic relationship. Fredin argues on appeal that his post-relationship internet posting was just a personal reflection akin to Edgar Allan Poe's poem about his lost beloved, Lenore—a kind of

communication that Fredin insists can never constitute harassment. He maintains that the district court failed to make a particularized finding of harassment and that Miller produced insufficient evidence to establish repeated incidents of harassment. We see no error in the district court's findings, and we are convinced from the record that, unlike Poe's yearning for Lenore, Fredin's repeated unwanted contact with Miller can support the district court's finding of harassment. We therefore affirm.

FACTS

Grace Miller [*2] and Brock Fredin met online and dated for about a month. Miller ended their exclusive dating relationship near the end of October 2015, but they continued as friends. The relationship deteriorated as reflected in a series of Facebook and text-message conversations from early December 2015. Fredin's messages annoyed Miller and began to make her uncomfortable. On December 3, they had the following Facebook exchange:

B.F. What are you thinking about?

G.M. Sleep

B.F. Thinking about me I bet...

G.M. Nope. Goodnight.

B.F. I am coming over

According to Miller, she turned off all the lights in her house and locked herself in her bedroom because she was unsure whether Fredin would visit. Fredin sent Miller a text message again the next evening saying he was "stopping over." Miller responded, "No, please don't. I don't want a visitor tonight."

As it became apparent that Miller wanted no relationship with Fredin, Fredin's messages became unsettling:

G.M. how [a]bout we be friends. . . .

B.F. Nope. We are dating. Yes, you're taking me to see your family.

...

G.M. I'm done talking to you tonight. . . .

B.F. Be a good girl for me. Here's a hot photo of what you can't have.

[webcam photo of Fredin]

...

B.F. Too bad [*3] you aren't in this tonight on your knees thinking of me. ;)

[photo of woman in lingerie]

You should have nightly tasks.

G.M. Stop it.

B.F. You really should meditate nightly, get on your knees, and think of me. It's good for your mental health. Also you're not going on any more first dates.

...

B.F. Why are you opposed to these things?

G.M. because I don't want a relationship with you anymore. I told you[.]

B.F. You do and will though. You need it. . . .

...

B.F. You're a very boring person. You have zero interests or excitement in your life. I would never be your friend. However, I will go on occasional dates with you and you're taking me out for my birthday.

On December 8 and 9, Miller unequivocally expressed that she no longer wanted to see or hear from Fredin:

G.M. yeah, I can forgive you, but I'm not going out with you.

B.F. Please let's still go on the occasional date, Grace. I was just seeing if you were into alpha guys. It was a thought experiment. I want to do so much for you.

G.M. no! I agreed to do that and it didn't work. because you forbade me from seeing other guys and smashed your face into my mouth when I tried to pull away from kissing you and now you're going completely f--king [*4] psychotic when I break things off. why on earth would I want more of this?

...

G.M. Second, I didn't want to encourage your delusion that we're dating when we're not. Or start another multi-day begging session. I'm tired.

B.F. Oh my gosh! Come on. It was a thought experiment weekend. Thought we were erasing that. You are amazing, Grace.

We are going on the occasional date. I'd like if you took me out for my birthday.

G.M. F--k you and your cruel thought experiments. You've done this s--t before.

We are NOT going on the occasional date. I am done talking to you.

...

B.F. Sweetie, you said you liked alpha guys. I was just trying to see if that was true. Go easy on me. You know my true personality!

...

B.F. Where are you taking us for my birthday? I'd like if you reconsidered and just remembered it was a thought experiment. I'd really like this to be a date. I wish you'd call me on the phone. It would be much easier. Did you find another guy or something?

G.M. No means no or seriously I will never speak to you again. I'm sick of this. NO.

B.F. May I please ask why? I love you Grace!

G.M. I've been telling you why for four f--king days. I'm going to bed.

Miller blocked Fredin's Facebook account [*5] that night. But he sent her a text message the next day:

B.F. I am kind of depressed you're not taking me out on Saturday for my birthday. No one ever has. Can't you be nice and go easy on me?

G.M. I've been telling you no for four days. Don't contact me again.

B.F. I am really sorry. Please forgive me. I'm begging you. . . .

...

G.M. No. Do not contact me again. Enough is enough. This is out of hand. Trying to block this number. Stop.

Circumventing Miller's attempt to block Fredin's communication, Fredin sent another text message from a different phone number that same day, asking for forgiveness. Miller did not respond and blocked both numbers. The next morning she received a text message from an unknown number. It was Fredin. Miller reiterated that he should leave her alone. She warned that if he contacted her again, she would call the police.

Fredin emailed Miller anyway on January 3, 2016, and Miller responded, "No. I told you to leave me alone. . . . [T]his is stalking and harassment. I was serious when I said I would call the cops. If you contact me again, I will." Miller blocked Fredin's email address. But Fredin emailed her twice on January 24. He also circumvented the email block by [*6] sending Miller \$50 through PayPal.com with the message, "Thank you for everything." Miller did not respond to the emails and rejected the PayPal payment with the message, "I don't want your money." Miller finally called the police, who suggested that she ask the district court for a harassment restraining order.

Miller filed for a harassment restraining order on January 28. The district court granted a temporary restraining order, and a deputy sheriff served Fredin with the order on February 2. Miller received a notification on February 9 that Fredin had viewed her Match.com profile. She saw that his public profile included a note that read, "To a lost love: Incredibly sorry Grace. Sorry for what happened. NEVER intended anything of that nature. . . ." Miller sent a message to Fredin demanding that he remove her name from his profile. Fredin responded by adding more details to the note. She sent him a message the next day demanding that he remove the post.

Miller and Fredin testified at the restraining order hearing on March 21. Miller explained that she was earnest when she told Fredin to stop contacting her, that his continued contact was unwanted and intrusive, and that his conduct [*7] exacerbated her depression and anxiety, caused her stress, and made her paranoid. The district court recognized that relationship endings often involve ambiguous communication, but it found that "Ms. Miller was clear she didn't want to have contact." The court found that Fredin continually contacted Miller using email, text messages, and telephone after Miller blocked his communication by Facebook and phone. It chose not to make any finding about the Match.com note. The district court issued the harassment restraining order against Fredin using a preprinted order form. It checked the requisite boxes and entered as "other" grounds for harassment,

"respondent made repeated, unwanted contact with petitioner by continuing to communicate with petitioner despite being asked to stop all contact, having the Facebook account blocked and two separate telephone numbers blocked."

Fredin appeals.

DECISION

Fredin argues that the district court improperly issued the harassment restraining order. *HN1* [↑] A district court may issue a harassment restraining order if it has "reasonable grounds to believe that the respondent has engaged in harassment." Minn. Stat. § 609.748, subd. 5(b)(3) (2014). "Harassment" is defined in relevant part as "repeated [*8] incidents of intrusive or unwanted acts, words, or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect on the safety, security, or privacy of another." Minn. Stat. § 609.748, subd. 1(a)(1) (2014). We review the grant of a harassment restraining order for an abuse of discretion, and we will reverse if the order is not supported by sufficient evidence. *Kush v. Mathison*, 683 N.W.2d 841, 843-44 (Minn. App. 2004), *review denied* 2004 Minn. LEXIS 639 (Minn. Sept. 29, 2004). We defer to the district court's credibility determinations, and we will not set aside its fact-findings unless they are clearly erroneous. *Id.*

Fredin asserts that the district court failed to make a particularized finding of repeated incidents of harassment. *HN2* [↑] The controlling statute requires that "the court find[] at the hearing that there are reasonable grounds to believe that the respondent has engaged in harassment." Minn. Stat. § 609.748, subd. 5(b)(3) (emphasis added). The statute nowhere requires the district court to make any other findings before issuing a harassment restraining order. The district court found that Fredin engaged in repeated, unwanted contact. This meets the requirement of subdivision 5(b)(3). And Fredin offers no authority prohibiting the district court from using a preprinted order form to record [*9] its findings. The district court checked the requisite boxes and added

sufficient details to explain the basis for its order.

Fredin argues that Miller did not prove repeated incidents of harassment. The record proves him wrong. The district court found that Miller communicated to Fredin that she wanted no further contact with him in early December by telling him so and by blocking his Facebook account and phone numbers. The district court also found that Fredin's later emails in January and his text messages from a third, unknown phone number were repeated unwanted contact. The court heard Miller's testimony and received copies of the Facebook messages, text messages, and emails. Fredin admitted to emailing Miller and sending her money through PayPal on January 24. Even if the exchanges in early December were ambiguous, Miller clearly told Fredin not to contact her again on three occasions, and Fredin ignored Miller's urging to be left alone. Sufficient evidence also supports the district court's finding that Fredin's persistent, unwanted communication in the face of Miller's attempts to prevent the communication substantially affected Miller's safety and privacy.

Fredin ultimately [*10] argues that his single, so-called "open letter" on his Match.com profile cannot constitute harassment. He urges us to characterize his post instead as just his remorseful reflection about unrequited adoration, because, as he puts it, he was merely "*faute de mieux* . . . shar[ing] his feelings in a personal way, as if in a journal." He caps the argument by quoting substantially from the following lovesick stanza of Edgar Allan Poe's *The Raven*, to which he asks us to liken his Match.com post:

Ah, distinctly I remember it was in the bleak
December

And each separate dying ember wrought its ghost
upon the floor.

Eagerly I wished the morrow;—vainly I had
sought to borrow

From my books surcease of sorrow—sorrow for
the lost Lenore,

For the rare and radiant maiden whom the angels
name Lenore:

 Nameless here for evermore.

Fredin's attempt to analogize his internet post to Poe's celebrated poem ignores the fact that the district court expressly did not base its harassment finding on Fredin's post but rather on the fact that he pursued Miller even after she told him that his continued overtures were unwelcome, harassing, and stalking, and that she would call the police if he persisted. Relying on the poem therefore [*11] both oversells on sympathy and understates on conduct. And we offer—purely as dictum—that when one is characterized, rightly or wrongly, as a frighteningly obsessive ex-boyfriend eligible for a harassment restraining order, the typical strategy for a reversal does not include aligning oneself with an allegedly opium-inspired author whose obsession with his deceased lover and other macabre poetry and prose are most commonly narrated for their chilling effect.

Affirmed.

End of Document

Exhibit F

Majority Opinion >

Minnesota District Court, Hennepin County, Fourth Judicial District

BARBARA ROLFSHUS v. TIME, INC.

No. 756161

June 14, 1979

Invasion of privacy action against magazine. Upon defendant's motion for summary judgment.

Granted.

Scott Bader, Minneapolis, Minn., for plaintiff.

John Borger, Minneapolis, Minn., for defendant.

Amdahl, J.:

Full Text of Opinion

The plaintiff herein has commenced this action for invasion of privacy as a result of a news article and photograph published by the defendant in its April 5, 1976, issue. The defendant has moved the Court for an Order granting it summary judgment or judgment on the pleadings on the grounds that the action is barred by the statute of limitations. In addition, the defendant argues that Minnesota has never recognized a cause of action for invasion of privacy, and more particularly herein, there was no invasion of privacy on the part of the defendant.

In the April 5, 1976, issue of *Time*, an article entitled "Mason City: A Porn-Fed Town" appeared as a related story to the cover story, "The Porno Plague." The story dealing with Mason City discussed the arrival of sexually explicit entertainment in Mason City and included a photograph of the plaintiff, identifying her as a nude dancer. The plaintiff has alleged that as a result of the publication of the photograph in question, she has been subjected to public contempt, ridicule and has suffered an invasion of her privacy.

When considering a motion of this nature, all fact inferences must be drawn in favor of the nonmoving party. *Northern States Power Co. v. Franklin*, 265 Minn. 391, 122 N.W. 2d 26 (1963). While the plaintiff has not explicitly included the terms "libel" or "defamation" in her Complaint, her characterization of her cause of action reflects one for defamation. The Complaint alleges that the plaintiff was subjected to public contempt, ridicule, loss of dignity and self-respect among family and friends. This is essentially an allegation of libel which is actionable for injury to one's reputation, thereby exposing him to "... public hatred, contempt, or ridicule ..." 11A Dunnell's Digest, Libel and Slander §2.02, p. 28. The plaintiff's failure to label her cause of action as one for libel does not take it outside of the bounds of such a cause of action.

Minn. Stat. §541.07(1) provides that all actions for libel must be commenced within two years. The facts of the instant case clearly demonstrates that the plaintiff has failed to comport with this statutory requirement. Therefore, based upon the foregoing discussion, the defendant is entitled to judgment as a matter of law.

However, the plaintiff argues that her action is one for invasion of privacy. Even if this Court were to disregard the statute of limitations as it relates to an action for libel, the plaintiff's cause of action must still fail. The plaintiff argues that she is entitled to the benefit and protection of Minn. Stat. §541.05(5) which provides a six-year statute of limitations,

For criminal conversation, or for any other injury to the person or rights of another, not arising on contract, and not hereinafter enumerated;

The plaintiff argues that her cause of action for invasion of privacy falls within the six-year [*2] statute of limitations. The Court cannot agree with this argument. A cause of action for invasion of privacy is by its very nature similar to one for defamation. The problem presented is that both statutes contain language dealing with "personal injury" and "injury to the person or rights" as catchall phrases.

In *Wild v. Rarig*, 302 Minn. 419 , 234 N.W. 2d 775 (1975), the Minnesota Supreme Court had an opportunity to examine this issue. The Court held that "personal injury" as contained in Minn. Stat. §541.07(1) ,

... was not construed as "bodily injury" but was construed in an exact legal sense as the equivalent of a "personal wrong."

Id., 234 N.W. 2d at 791 . The Court in *Wild* also held that the two-year statute applies to all actions for injuries to the person based on intentional torts or intentional publication of harmful material.

The Complaint in this matter alleges that the defendant knew or should have known not to publish the photograph and caption and that the defendant acted willfully, maliciously and in reckless disregard of the plaintiff's rights. All of these factors taken together provide strong support for placing the plaintiff's cause of action within the confines of the two-year statute of limitations.

Therefore, the plaintiff's cause of action must be dismissed for failure to comply with Minn. Stat. §541.07(1) . Having determined this issue adversely to the plaintiff, this Court need not consider whether or not the plaintiff has stated a claim upon which relief may be granted.

General Information

Judge(s)	Amdahl
Topic(s)	Torts; Civil Procedure; Communications & Media; Privacy & Information Law
Industries	Magazines & Newspapers
Parties	BARBARA ROLFSHUS v. TIME, INC.
Court	Minnesota District Court